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FAMOUS WESTERN

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by Harlan Clay

Special Feature
THE JOAQUIN MURIETA HOAX
by Harold Gluck

DOUBLE-ACTION MAGAZINE

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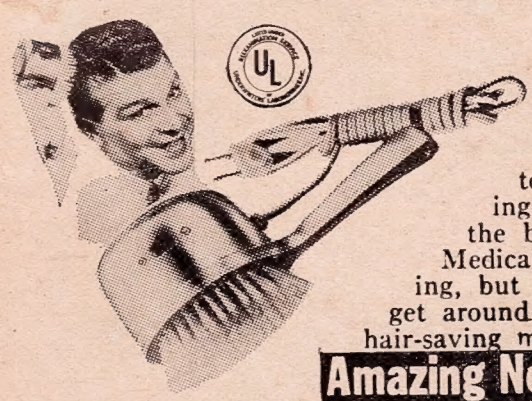

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FAMOUS WESTERN

ALL STORIES NEW--NO REPRINTS

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ROBERT W. LOWNDES, *Editor* MILTON LUROS, *Art Director*
CLIFF CAMPBELL, *Asso. Ed.*

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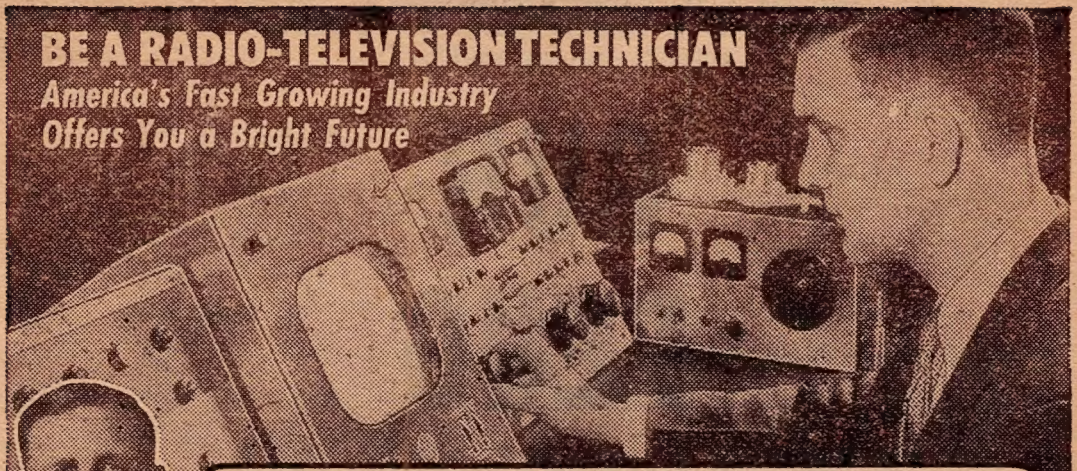

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A man like Colt Tyler, accustomed to start shooting at the slightest provocation — real or imagined — is easy to sucker into a suicidal conflict with his neighbors'

GUN FEUD

Featured Novel of Rangeland Strife

by HARLAN CLAY

BEDDED on the side of a big brown sandhill, a niggerhead boulder weighing less than fifty pounds left its centuries-old nest, and rolled slowly down the gentle decline that led to the sandy floor of Comanche Creek. Checked momentarily at the brink by a yearling willow, it dropped off the low bank, killing nine men, wounding a dozen others, and causing a property loss of hundreds of dollars. In addition to that, it set two old friends at each other's throats and threw a boy and girl into each other's arms.

A "niggerhead" is a red, flint-hard boulder of varying size native to certain sections of western Nebraska. Sometimes they lie deep; sometimes they outcrop, their exposed portion giving them their expressive name.

Ben Deever's powderface cayuse was the original cause of the calamity already referred to. Through the drizzle of a gray morning Deever had set out from his Boxed Diamond ranch to hunt a grade Percheron stallion that had rammed down the cottonwood poles of its special corral on the previous night, responding to the mating call of a burrhead stray mare on a sandhill south of the ranchstead. The big rancher was in a bad humor over the escape of the valuable horse. He was galloping the cayuse obliquely along the slope of a a hill on the waste land west of the neighboring Bar-H. The little horse shied from a long-eared jackrabbit that broke cover on its left and scurried across the bronc's path at hurricane speed.

Wrenching at the bits and spurring and quirting brutally, brought the startled beast up short. When it reared under the punishment of gouging steel and stinging rawhide, one hind hoof bored at the soggy sod on the up-hill side of the boulder, loosening it slightly.

That was all, at the time; but, weeks later, a torrent of rain sluiced the brown hillside washing at the exposed base of the disturbed flint. It rocked its weight to the downhill side, topped slowly, rolled and skidded on its destructive way.

Again, Ben Deever was in the vicinity, riding slowly, his head dropped to allow his big white hat to umbrella the driving rain from his face. He had been about to ford the creek when the snorting of his startled bronc caused him to look over his shoulder and see the

The boulder came crashing down without warning...

stone rolling ponderously toward him.

A touch of the spur sent the wiry little powder-face spattering across the drift cluttered stream. Safe on the far bank, Ben turned in saddle for a curious look at the rock, which had come to rest in the racing current, its upper half exposed.

At first, Deever's manner was merely casual; but when he saw what the builder had done, his craggy face drew into lines.

DEEVER was big, powerfully built, agile for one of his bulk. His massive arms and legs were impressive and his wide, slightly stooped shoulders were emblematic of the tremendous strength for which he was noted throughout the Comanche Creek region.

Deever's face matched his body—No weak spot anywhere. The corrugated forehead was but a narrow band between his mop of sandy hair and bushy brows that slanted down to half obscure pale gray eyes that were cold and hard as polished steel.

The jaw was square and had a challenging thrust; when he smiled, his leering, calculating smile, the exposed canine teeth flashed big and white like the tushes of a beaver. They flashed so as, sitting in the rain, he noted what the rock had done after plunging off the bank. For an hour he sat thus, his pale eyes glinting with a cunning leer. Uncovering the white fangs, the thick lips smacked as though he were gloating over some juicy food.

Ben was gloating—but it was over a morsel of thought, not food. He had intended jogging on home to bully the hands he had set to doing rainy-day chores about the big Boxed-Diamond machinery shed and granary. Instead, he turned and powder-face's nose townward and stirred it to a lope. He had suddenly decided that he wanted to talk to some men he knew would be in Comanche that day. As he sloshed along, water cascading from his hat-brim to rivulet down the creases of his yellow, fish-oil slicker, he talked to his horse, as is the habit of plainsmen.

"Some nice-actin' little rock that 'un, eh, Powder? If I'm a judge of hawseteeth, it'll git me that Triple-S outfit complete, 'fore 'nuther year.

"Some luck, hawse! Some luck an' then some! I been waitin' five years to git my hooks on that little ol' spread. Searles never would talk sale at no fair price.

"Now, we'll see what we see. That there niggerhead started to do th' bizness. I got th' brains to follow it up.

"I'll git that spread, shore as shootin' is shootin'."

He rode on in silence for a time, then chortled coarsely, again:

"Yeh, I'll git me that Triple-S an' damned if I don't git that high-headed Bar-H gal along with it!"

STIRRING the cayuse with the rowel Deever hastened toward the cluster of dun shacks he now could see, hazy, on the buffalo flat to eastward. There really was no hurry, but he was eager to make the first move in a studied campaign that he expected would bring him a ranch, and a girl. His program was a little indefinite. He thought he saw a chance to make a start; after that, he would adopt whatever methods seemed best. As a matter of fact, methods bothered Deever but little. Twice since coming to manhood on the Comanche range, he had killed his man. Each time, there being no witnesses, his story of self-defense was accepted. His ready gun and his ability to use it with remarkable speed and accuracy were assets upon which he knew he could rely, if need be.

Where the twisted trail headed into Main Street, Deever met grizzled old Buck Walden, veteran foreman of the Bar-H. "Hi-yah," Buck hailed, checking his big paint gelding and grinning through his dripping beard.

"'Lo," Deever answered, reining Powder around to get his back to the

rain. "Where yuh ridin', this fine dry day?"

"Denver," came the grinning answer.

Deever whistled in surprise. "Denver?"

"Yeh. I've quit th' Bar-H, plumb permanent. Ol' Colt Tyler has got too damn ringy to live with."

"Huh," Ben snorted. "Same ol' story, eh? Yuh've quit once-twice ev'ry season since yuh hit this country, twelve years ago."

"Mebbe so," Buck admitted. "I'm plumb divorced from th' Bar-H this time, though. So long."

Buck rode off. Deever turned Powder from the trail into the hoof-pocked street, chuckling at the idea that the irritable old foreman ever would absent himself from the Bar-H for any length of time. He wasn't chuckling a few minutes later when he dismounted in front of Jake Shultz' *Palace* salon and stood on the walk for a time, eyeing two men who were drinking at the front end of the bar. "Good a time as any to start things," he muttered, then shoved the low shutter door open and entered.

- 2 -

COLT TYLER, of the Bar-H was having a social glass in the *Palace* saloon with his son Harry. In fact, the two had had several social glasses, after having answered the needs of suffering humanity by buying a round for the half-dozen bleary-eyed moochers who infested Jake Schultz' low-ceiled, booze-stunk place.

Though lank bodied, the elder Tyler was erect, witchy and phenomenally alert, considering his seventy years of hard saddle-whacking, during which time he never had flinched from a task or given ground before a man. He had started the Bar-H with a couple of dozen of lean-ribbed cows. It had withstood droughts, blizzards, fires and Indian raids because steel-bodied, iron-willed Tyler was a real cattleman of the hard-riding, quick-triggered old school, ever ready to fight man or the elements in defense of his property and his rights. The nickname "Colt" had been honestly earned.

Harry was a toned down copy of his rugged father. The same lean, wiry body; the same keen, steel-blue eyes, firm chin and jaw. Probably an equal amount of courage and determination, but less aggressiveness. His raising had been softer; and four years of college life with its football and boxing had taught him to hold his temper and give and take without bringing on a killing. Had anyone whanged Harry on the nose as the two stood at the bar, he would have squared off and given the best possible account of himself, retaining a part of his natural good humor, win or lose. Had the same thing happened to Colt, his fighting spirit would have flamed white and his old plain-butted six would have leaped into his gnarled hand to snarl his resentment until he or the other fellow was down.

Flint and Steel, those two; but they never struck fire because over them was a boss even more domineering than Colt himself. Though but eighteen, slender, amber haired, blue eyed Diane Tyler had ruled both of them ever since her mother had died, ten years before.

One circumstance, though, had brought father and son to the verge of disruption time after time. Young Luke Searles' Triple-S ranch joined the Bar-H on the south. Easygoing Harry had known Searles at school and liked him. Searles despised him as a "short-grass" rancher whose intrusion on the range four years previous had spelled trouble. At that time, Tyler had an abundance of grass and water. Searles had water, too—enough to carry the small, high-grade herd he had brought in. But, if he succeeded in building that herd up to—

Old Colt's trigger finger crooked instinctively every time he considered that possibility. It was the natural reaction of a hard-bitten stockman, schooled to fight off invaders, in the old days when the law was nowhere around.

LAW, HELL! Colt had been there first. He had held sufficient range and water for his cows against all comers, and he would continue to hold it as long as he could cock a gun. He could see no moral flaw in that attitude. Searles should have settled somewhere else.

With Deever, next neighbor to the North, it was different. Ben's father had been an oldtimer along with Tyler. Ben hadn't made any objection when, after the death of the elder Deever, Colt ran an east-west fence line that held the Boxed-Diamond off him and restricted it to the few thousand acres that curved up into the badlands to northward.

In a word, Colt had domineered over Deever successfully, so he liked him. He hadn't had occasion to clash with Searles yet; but something about the muscular young rancher warned that there would be a rebellion, if that clash ever came.

It might have been said that Diane was the litmus that tested Colt Tyler's varying reactions to his two neighbors. Twice, the old fellow had seen her riding with Deever and smiled. Twice he had seen her with Searles—and scowled till his slitted eyes could hardly be seen. If worse came to worst, he'd show the damn young whippersnapper where to head in.

As to Diane, she had chucked Colt under his stubbled chin and called him a dear old goose when he had tried awkwardly to boost Deever's stock with her; and she had laughed lightly and gone humming about her housework when he had cursed Searles luridly after seeing him with her.

The thought that Searles might take too much of Tyler's grass and water roused Colt's fighting instinct; the thought that Searles might take his girl made him frantic. Both those thoughts may have been aggravated by the four hot toddies he had consumed; anyway, when the shutter swung to admit a dark-haired, clear-eyed muscular-looking rancher, Colt chose to be deliberately insulting. "Hey, Schultz," he called to the slovenly, moon-faced proprietor. "Fetch me'n' Harry some drinks to th' table at th' fur end of th' room. Th' company at this bar is gittin kinda oncongenial-like."

LUKE Searle's smooth young face flushed, and his right hand knotted into a fist as he took a quick step toward the scowling old man. Then he shrugged, smiled tolerantly and nodded a friendly greeting to Harry, who returned it, unobserved by his father.

The father and son went to the rear of the place where Shultz waddled to set their drinks on a greasy table by the alley door. Searles took off his hat to slap water from it, unclasped his slicker and lounged against the bar, looking up to nod another casual greeting when the shutter creaked again and Craney Burgess, his leathered old foreman, stumped in. Behind him came Deever who stopped inside the shutter to look the place over. After nodding his head to Searles he went to the rear, and sat down beside Tyler, who had motioned him an invitation.

Deever sensed at once that the egg of a prairie feud had been laid in that sawdust-littered room. He started it to incubating as soon as Schultz had set a special four-ounce glass of whisky at his elbow, and waddled back up front. "Come in on purpose to see yuh fellers, knowin' that yuh had bizness in town today," he lowered his heavy voice and leaned across the table to confide. "Fact is, I found out somethin' that yuh orter know."

Colt had just finished taking the makings from his rusted jeans vest.

He grinned as he dribbled granulated tobacco into a husk paper. "Feller orter know everything, fur that matter," he philosophized. After licking the paper and starting to roll it, he asked, "What is it that's kickin' aroun' inside yur skull that yuh think we orter git a peek at?"

Deever threw his big head back to gulp the quadruple dose of whisky, then set the glass down and twirled it abstractedly on the scarred tabletop as he said, thoughtfully: "Dunno just how much I orter tell yuh."

"'Course we're neighbors, an' all that; but I hate to horn in on somebody else's bizness, any whatever."

"Suit yurself," Colt told him, evidently a little nettled. "I ain't pumpin' yuh none." He stuck the thin cigaret on his lip and fumbled out a match which he scratched noisily on his thumbnail and applied to the fag, eyeing Deever inquiringly past the flame. "All I gotta say is, if you wanta talk I got my ears fanned out."

Deever appeared to hesitate. Then he leaned across the table and dropped his heavy voice to a still lower note. "As I said a bit ago, it ain't none of my bizness; but, as neighbor to neighbor, I'm warnin' yuh to keep yur powder dry an' watch yur fence lines an' water."

Colt's cigaret gyrated rapidly as he turned his keen old eyes questioningly on his neighbor. "Meanin' which an' what?"

Deever shrugged his great shoulders. "I'm tellin' yuh to watch out," he grunted. "That orter be 'nuff fur a man of yur good sense."

"Look out for who?" Harry broke in, squirming in his chair.

Deever shrugged again. "Yuh can make a coupla guesses," he said, his tushes showing in a wise grin. "Yuh got just two neighbors who might wanta tuck yuh up some to keep yuh from gittin' growin' pains. I'm one of 'em—an' I'm tellin' yuh to watch out. I wouldn't be warnin' yuh to watch me, would I?"

"Thought so," Colt Tyler grunted, glowering malevolently toward the bar, where Searles stood chatting with Schultz and Craney. "That young sprout, eh? Well, Ben, give me a handholt, an' I'll pitch him off of this range on his rump."

Deever shook his big head slowly. "Sorry, fellers. I know a lot that's goin' on, but it was told to me, plumb confidential. All I'll say is, watch yur lines closet, these days. I mean watch th' south an' west ones. Yuh needn't bother 'bout th' north un. I'll tend to it. Them half-fed nesters on th' east won't give yuh no trouble. That orter leave yuh one good less."

"Well, much obliged, if that's th' best yuh kin do," Tyler said, still glowering at the young rancher's stalwart back. "I kin watch, but I'd ruther know what to watch fur."

"Trouble—trouble a-plenty," Deever told him, then rose, and commenced to fasten the metal clasps of his slicker. "Well, fellers, I gotta ramble along. Got bizness at th' bank. Watch yur lines an' water—mostly yur water." Though Colt urged him to stay and "disinfect his guts" he stalked out, ignoring Searles as he passed him at the bar.

A CERTAIN tension had clamped down over the tobacco-fumed place. Sensing it through long experience, the moochers eased away from the bar and lined up along the far wall. Sensing it also, Dutch Shultz wiped the same whisky glass on a corner of his apron for minute after minute, his round, ruddy face beaded with anxious sweat.

If Luke Searles noted the ominous signs, he gave no indication of it. One foot on the brass rail, he continued to sip his small bottle of beer with slow relish, pausing occasionally to drag at the single-leaf stogie he had lighted.

Craney Burgess was of different

mold. Like Colt Tyler, he was an old-timer, inclined to be outspoken. Two outstanding features distinguished Craney. He had an enormous Adam's apple that became active in time of stress; and he wore a long tuft of brick-red beard that curved forward as a continuation of his hooked chin, almost fanning his sun cooked nose every time he spoke a syllable.

The Adam's apple made a beaver slide of Craney's lean neck and the arc of beard hooked up and down rapidly as his thin, nasal voice cut sharply through the stillness. "What th' heel-ar-ious humped-up hell makes yuh lop eared booze hounds stand there gapin' at us that-a-way? Think this is a funeral?" he asked, testily.

Shuffling their feet and grinning ingratiatingly, the loafers remained silent. One slunk unostentatiously along the wall and outside, adding to Craney's wrath.

Just then, though, Colt Tyler spoke from the rear table. "Mentionin' a funeral, they ain't none bein' helt, right now. That ain't sayin' they won't be one some time soon, at that."

"Whose?" Craney shot back, defiantly, twisting about to face the old rancher and at the same time bring his right hip away from the bar.

"Take it easy, Craney," Searles advised, quietly. But he straightened from his lolling posture, shifted the stogie from his right hand to his left and fastened his steady eyes on Colt Tyler.

"Easy, hell!" Craney shrilled. "We been takin' it easy fur too damn long whilst that damn snaky-eyed ol' shitepoke goes yappin' aroun' th' range actin' like he was first cousin to Gawd Awmighty an'—"

THAT WAS enough for peppery old Tyler. He and Craney had been friends in the old days. But Craney had committed the cardinal sin by signing on with Searles. Now he was defying Colt to his face, and doing it scornfully and publicly.

The old rancher's chair kicked back till it struck the wall and his lean body snapped erect with a quickness that defeated Harry's attempt to catch and hold him.

Twin reports shook the flimsy building and hot, stinking smoke spiraled up to roll sluggishly along the specked ceiling. Seconds later, another tableau was presented.

Craney was slumped against the bar, his unkempt head drooped, one hand clasping his left side, the other still tugging feebly at the gun that had not left its holster.

Colt Tyler was struggling and cursing in Harry's arms, blood splashing from his shattered gun hand as he fought to get free.

Sliding his smoking six back into the leather, Searles spoke curtly to Harry: "Be sure to hold him, if you don't want to be an orphan."

"I got him," Harry said, confidently, kicking away the gun that had clattered to the sawdust littered floor.

"Yeh, yuh got me, yuh dawg-gone chicken livered houn' pup!" Tyler yelped, still foaming and struggling. "Turn me loose, damn yuh, an' I'll beef me 'nuther sneaking fence creeper.

"Onhobble me, I tell yuh! Bad 'nuff to leave yur own gun on yur hip whilst them polecats was two timin' on me!"

"Nobody two-timed on you," Harry said, appeasingly. "Searles just creased you to keep you from throwing a second slug into Craney."

"Gallopin' lizards!" Colt sputtered. "Yuh say he 'creased me' when he busted my knuckles all to hell. To think that I've riz a boy that 'ud take sides 'gainst his own dad! Helpin' out a dam two-bit, dry-gulchin' rustler, at that!"

For the second time that day, a fighting light leaped into Luke Searles' cool brown eyes and he took a succession of pantherish steps down the room before he regained control of himself to stop and say, quietly:

"Because you're an old man, and

They couldn't see who had ambushed the rider.

for another reason, I shot at your hand instead of your heart, a while ago, Tyler. I'm not sorry I did that, but I'm warning you that you've about reached your limit. I've stood your nasty talk, same as I would have taken it from a spoiled kid. I've let you ride me ever since I came to this range.

"That's going to stop, now, Tyler. I can't have you killing men just because they ride for me, and I don't propose to let you kill me either."

"Oh, yuh won't won't yuh?" Colt Tyler foamed. "Don't wanta be kilt none, eh? Well, I'll do it though, first time I see yuh."

"That being the case, I'll try to see you first," Searles said evenly, as he spun on his heel and went back to the bar, where sweating Schultz and one of the loafers were helping the gasping Craney into Schultz's high-backed armchair.

THE CRASH of gunfire had brought the townfolk to the *Palace* on the run. Most of them piled up on the walk, yammering questions, jostling one another for a view of the interior. A few important personages worked their way through the press and got inside. First among them was "Squire" Simpson, the shrimpy little Justice of the Peace who had held the office for so long that he had ceased to go through the formality of an election. Besides performing the duties laid down in the books, the little squire

had granted several divorces and once had sentenced a man to be hanged, and the sentence was duly carried out because no one objected; and it was the simplest way to accomplish a worthy attempt to improve the moral tone of the community.

The squire bustled about officiously, but made nothing of it. Colt Tyler's standing was such that he was above prosecution. Craney had shot nobody. Searles had acted with proper restraint, shooting only to save a life. "Dog-fall," the squire decided, laconically, and Bill Harston, the lazy, loose-jointed deputy sheriff, nodded hid head in solemn agreement. A few of Craney's friends frowned; one or two nesters grumbled, the verdict stood.

Meanwhile, Doc Pyle (veterinarian, who also mended human bones and escorted babies into the world arrived, his white beard rain-dripped. After he had helped carry Craney to a chalk-dusty pool table, he ripped the shirt off him ungently and grunted out his diagnosis: "Slantin' lead...bunged th' hip j'int up a mite an' riz hell with th' striflin' that ties his laig muscles.... If rigor mortis don't set in, he'll be ridin' again in two-three weeks."

After sluicing the wound with fiery horse liniment that made Craney howl with pain and struggle against the three helpers who held him, Doc took a drink, packed his kit and departed. The Squire and Harston hung around for awhile, obviously bent upon keeping Searles and Tyler apart until one of them had left town.

A sort of lame, unstable peace was patched up. But, over Comanche, and spreading from it to cover the Comanche Creek range, a war cloud hung black and threatening. The nesters were knotting together and discussing the affair with lowered brows. Colt Tyler's associates were saying little; but they had no intention of lining up against him, right or wrong. Luke Searles had his friends, but accustomed to being in the minority, they said little, and said that in discreetly lowered tones.

Such law as was in the community was helpless. Not a man on the scene believed that the affair was settled, or that it would be settled except by the weight of leaden slugs. Few attempted to arrive at the original cause of the trouble, or ascertain the right or wrong of it. Like a blizzard or a drought, or a prairie fire, the thing started; where it would stop, no man knew or attempted to guess.

Jake Shultz summed the thing up succinctly when, after shooing the last patron out and drawing the shades and locking the door, he jammed the big key into his pocket with an emphatic gesture. "I'm oudt uff peezness," he announced with finality, "andt by tamn I shtay oudt till I sees who gits kilt der most. Den I obens up undt sells booze to der surfifors.

"Alretty, I pays mine licenses to sell whisky; but I dondt vant to sell it mit leadt vistlin' aroundt mine ears."

No other place was locked, but the merchants went home, that night, uneasy and depressed. A war had opened, and they knew that few of them would be able to remain neutral.

Many a dusty sixgun was cleaned and oiled in Comanche, that dark rainy night.

- 3 -

LUKE SEARLES' home was a combination residence, bunkhouse, messroom, office and storage depot. In the gray of a morning some two weeks after the shooting at the *Palace* saloon, Searles was breakfasting alone in the messroom wing when Shorty Dean stumped in, sleepy-eyed from a long night in saddle. Searles kept but four hands, the hard riding

being done for the double purpose of guarding the stock against rustlers, and keeping the breed up. The open range was full of scrawny scrub bulls which must be kept away from Searles' good cows.

"Somethin's eatin' on ol' Beezum," Shorty reported, bow-legging to draw a chair up to the oil-clothed table and seat himself opposite his boss.

"What's the matter with Beezum?" Luke asked, a little anxiously. The bull was his pride, and the head of his herd.

"Dunno exact," Shorty answered commencing to pile ham and potatoes on his plate. "When I went to work last night, I seen him standin' up by th' willer hole. He was holdin' his head kinda sidewise, an' his neck seemed kinky, or somethin'. Figger it might be screw-worms."

Dismissing the subject as not altogether fit for table discussion, Searles finished his breakfast hurriedly and routed out Craney, who had recovered sufficiently to chore around a little, but still was unfit for regular duty. While Craney breakfasted, Luke saddled his own rangy black gelding, and geared a lazy easy-stepping polka-dot gray for Craney. The night mists still had the plain blanketed when the two set out, taking with them a small bottle of chloroform, a phial of permanganate crystals, and a small can of pine tar. Hitting the branch a few hundred yards from the house, they rode along it, Luke keeping Nig in check, so that Craney could ride slowly.

After the two had gone a little way through the pale mists, Searles became aware that there was something odd and unusual in the situation; but he could neither locate it nor account for it. The uneasy feeling continued while they passed two smaller waterholes and went on toward the willow pond—chief summer water supply.

There was no all-the-year water on the Triple-S. The spring and fall rains made a living thing of the drainlike branch that meandered eastward across it. After the rains eased this drain shrank gradually until there was water only in a chain of pools, the largest of which was the willow pond. In a dry year, a thousand head of matured cattle would have lapped up the last drop, before midsummer. Searles now had close to the thousand head and was planning upon building a storage tank, the next summer. Meanwhile, luck must break for him or he would have to take some of his stock out. Also, to conserve what water he had, he would be forced to fence the open range stuff off his deeded land—which he disliked doing, as it would work a hardship on the nesters and two-penny ranchers to eastward, who had not water at all for their few cows, and would be forced to rely upon wells.

Luke was thinking of this situation as they rode toward the pond—and all the way that vague feeling persisted that there was something unusual about his little ranch. Somehow, he linked that thought with thoughts of his water supply, but to save his soul he couldn't make the connection, directly.

THEY FOUND Beezum standing dejectedly at the edge of the willows, gaunt for the lack of food, as he evidently had been unable to drop his head to graze. Examining him quickly, Luke saw a wound on the right side of the neck, high up, and another on the opposite side, and back nearly to the point of the shoulder-blade. A thin, colorless fluid oozing from the wounds was a sure indication that blow-flies had deposited their eggs there, the so-called screw-worms resulting.

Both men knew what to do. Dropping a loop over Beezum's horns, Searles snubbed him short to the trunk of a box alder and Craney dribbled chloroform into the cuts, plugging them tightly with cotton to hold the fumes in and kill the larvae.

"How do you suppose he cut himself

In his younger days, Colt Tyler had ridden roughshod over everyone in his way.

in that peculiar way?" Searles asked, as his helper removed the plug from the wound on the right side and started exploring with his long-bladed jackknife.

Craney was an adept at putting two and two together and arriving at a total of six or eight. "Bob-wire," he deduced, readily. "He's rammed his head 'twixt two strands an' got ketched an' scratched so that—"

"Wait a secont! Somethin' funny 'bout this thing. If a wire done that, it had th' longest damn bob I ever seen. That hole's plenty deep."

Craney babbled on while he finished disinfecting the cuts and packing them with cotton and pine tar to keep other flies out. In quick succession, he suggested, honeylocust thorns, another bull's horns and fence post splinters as probable causes.

Luke paid little attention to Craney's theories. A suspicion was growing in his mind. Finally he mounted Nig and rode a little way ahead of the bull, then turned and looked back.

"Yeh, his head's on this end," Craney informed him, helpfully.

"So I see." Luke felt his teeth

grate, as he looked the bull over from the angle of a man in saddle.

The suspicion struck Craney, at last. "Hey! Yuh shorely don't think—"

"Yes, that's just what I think." Searles said, grimly. "One sure way to kill a cow brute is to slap a slug through the right side of the neck so that it will go rearward and downward and across the heart and lungs. The dirty skunk that shot Beezum aimed a little high. That all."

"But, where yuh goin'?" Craney called, when Searles reined Nig around and started him from his tracks into a sweeping canter.

"Bar-H," he flung over his shoulder. "Colt Tyler and I are going to lay our cards down, right now!"

CRANEY raised his nasal voice as Luke rode on. "But they'll up an' massy-cree yuh if yuh go bustin' up there with a peeve on! Anyway, if yuh're dead set on gittin' yuhself exterminated, wait till I cripple up on my hawse, an' I'll go 'long!"

"And get two of us massacred, eh?

You go back to the house and potter around till I come home."

"Like hell I will! I'll go back to th' house, awright; but it'll be to tell th' boys yuh've gone loco, an' fit out a party to come git th' remains."

His arc of red beard fanning his nose, Craney sputtered out arguments and objections, but Searles galloped on, his blood boiling. Beezum had cost him half the outlay for his original small herd. Beezum had been shot. Who but Colt Tyler or one of his riders had done it?

The fact that the bull hadn't been killed mattered little. The intention had been there, and whoever had done the shooting would shoot again. He couldn't miss vital spots, always.

There must be a show-down. If war resulted, Luke Searles would fight as long and as hard as he could and go down feeling that he had done a man's part. Anything was better than to do as the nesters did—just sit down weakly and allow himself to be stripped and driven off.

As the brassy sun peered over the dunes to eastward, he reined Nig in by the front porch of the wide-eaved, two-story ranch house. At his hail, Colt Tyler came out on the porch. He evidently had been interrupted at breakfast, for he was in his carpet slippers and had a napkin tucked under his chin—a frill that Diane had imposed upon him, gradually, but firmly until he had ceased to balk.

The old rancher carried his right arm in a sling, and his clean-cut face was less ruddy than usual, showing that he had been much indoors, of late. But there was plenty of fight in his keen steel-blue eyes, a world of venom in his thin voice as he snapped: "What th' hell brung you here?"

Luke told him, directly and bluntly, winding up by saying: "You, or one of your men, shot that bull, Barnes. I've just come to tell you that I don't like it, and I'm not going to take it lying down."

Tyler's face flushed and paled alternately and his voice was shaky with wrath: "Why yuh pore two-bit cow-nudger! D'yuh think yuh kin come here an' call my hand? I ain't sayin' that any of us shot that bull; but I ain't knucklin' under to yuh 'nuff even to say that none of us did. If we done it, we gotta good right to, considerin' that yuh're tryin' to dry th' Bar-H up!

"What I wanta ask is this: What do yuh think yuh're gonna do 'bout it?"

"Fence you off," Searles told him promptly. "I'll run a fence line, and ride it. Meanwhile you stay away from my cows and keep your men away."

AS SEARLES was speaking, he was aware that three men had come from the corrals, attracted by the argument. They lined up on his left, spreading out a little and looking first at him, then at their boss.

Looking them over, Luke was surprised to see that the man in the center was Lem Hadley, a professional gunman whose appearance on any range told that trouble was there.

The fact that Colt Tyler had hired such a man amounted to a declaration of war.

Hadley was squat, bald, shifty-eyed, unwashed and filthily clad. Even his plain leather chaps were ragged and weather-chapped, and grease could have been scraped off the butts of the sixes he carried in tied-down holsters. His big, loose mouth formed an expectant grin when Tyler sputtered, hotly.

"What kinda herrin'-gutted bunch I got aroun' here anyway?" he shrilled. He pointed a gnarled finger at Searles who had eased Nig around to bring the three to his front and sat eyeing them closely. Colt glared at them scornfully. "Yuh rannies gonna stand there gogglin' an' let a smart aleck like him come on this place an' tell us

where to head in, after all he's done to us, awready?

"I'm naked on th' hips, or I'd crack down on him myself, even if I do have a busted gun-hand!"

The two punchers looked covertly at each other, then at Hadley. The gunman gave Tyler a sullen look. "Pritty damn loose aroun' th' jaw, ain't yuh," he growled. "Yuh ain't got no call to throw mud at us fellers that-a-way just 'cause we didn't line sights on this geezer quick as we seen him.

"If you wanted him kilt, yuh orter said so. An', now that we understand what yuh want, it'll be did."

Searles had braced himself for what was to come. Ignoring the others, he fastened his gaze on Lem Hadley's big, strong hands and waited.

Courageous enough at a pinch, Lem Hadley never failed to take the best of it if he could. He too waited now, probably in the expectation that one of the others would draw on Searles, or do something to cause Luke to look in their direction. But they stood rigid, like trained hounds ready to spring when unleashed.

Again Colt Tyler's cutting voice whipped 'em: "Milk-fed bunch, eh? Eyed down by a damn two-bitter."

"Try," Searles suggested, when Lem Hadley still hesitated.

The killer's shoulder hunched and his teeth clicked. But, before his hand could strike for the draw he relaxed and cast a quick, sheepish glance toward the house.

The front screen had banged open and slammed shut. Booted feet had pattered across the porch. His gaze still locked with the gunman, Luke heard a clear, girlish voice raised in angry inquiry: "What's all this fuss?"

Looking, Searles saw Diane, booted and spurred and dressed to ride. When no one answered but Colt Tyler, whose anger was so great that his voice half failed him, becoming an indistinguishable rumble, she stamped a booted foot. "Get your hand away from that gun, Lem Hadley!"

Lem jerked his shaggy head toward Tyler: "But he said fur us to—"

The boot had drummed the porch again: "I don't care what he said! He's like a bear with a sore paw—not responsible!"

"You boys aren't going to shoot anyone with me here, and you know it; so go on back over to the bunkhouse and behave yourselves!"

"But, dammit, girl," Colt sputtered, standing on one foot, then the other, "this weak-minded young gazabo rid over here an' sassed me to my face. He even threatened to—"

"Yes, I know. I heard him. He's foolish, of course; but you're acting foolishly, too." Searles felt his ears burn as she went on, scornfully. "When grown men act like babies, someone else must keep a clear mind and take charge of things, I suppose. Harry is away, so I seem to be elected.

"Bring my horse, Lem! You go back into the house, Daddy!"

"But, whatchu figger on doin'?"

"I'm going to see to it that Mr. Searles gets off this place alive—not for his sake, but for yours. You've been responsible for enough shootings."

"But—"

"No buts! I tell you somebody with a cool head must find out what the trouble is, and what's to be done about it. You two men just bark and growl at each other, and neither of you gives the other a chance to say much."

Colt Tyler walked up and down in one place. "But, I'm runnin' this ranch, an'—"

"Very well. But you'll run it without me if there's blood spilled in this yard, unnecessarily.

"I mean it. As surely as I'm standing here, I'll pack up and go to Aunt Minnie's and stay there."

THAT WAS the capital threat that always subdued Colt. Not really a blood relative, Aunt Minnie was an acid-tongued woman who lived in Omaha, and Tyler hated her more than he did any other human—which was some hating. "Awright," he yielded, dejectedly. "I feel like a damn yallerbelly to let that sneakin' water-stealin' galoot come here an' cuff me aroun' this way; but—"

"Let it go at that, Daddy. Just calm down. I'll take with Mr. Searles. Perhaps we can arrange it so that he won't build that—"

"No," Luke interrupted, impolitely. "That fence goes up and stays up."

Colt commenced sputtering again. She shook her amber head in exasperation. "Between the two of you hotheads, it's hard for me to keep my temper.

"But here comes Lem with my horse. I suggest that we ride and talk, Mr. Searles. I've argued with Daddy when you weren't around, and I made a little headway. Perhaps I can do the same if I talk to you when Daddy isn't around."

"If you talk about that fence, I'll say you won't have luck," Luke said, stubbornly. "I'm bound to build it because I need it to protect my stock, and for another reason, which is that your father told me not to build it. He says he's running the Bar-H. Well, I'm running the Triple-S, and as long as I'm running it, I'll—"

"Please come on," she interrupted, as though she had not been listening. She had swung up on the mettlesome roan filly Lem had brought. She rode down the trail toward the creek without

looking back, as though she was confident that he would follow.

Which is precisely what he did.

THE GIRL jogged the filly along the twisting cowpath that paralleled Comanche Creek on the east side. Following, Luke felt much like an overgrown schoolboy who had been taken to task by a teacher—a dainty, extremely feminine teacher, half his size. Watching the trim, erect form with its crown of sun-glinted amber hair, he morosely asked himself why she couldn't have been born the daughter of someone other than Colt Tyler.

When she reached the south border of the Bar-H, she reined the mincing filly in and Nig drew alongside. "Well, I've delivered you safely on your own place," she said, without looking at him.

"Thanks. I'm sure I'm grateful—even if I wasn't asking a girl for protection."

"Never mind the thanks. I was serving Father, not you. Anyway, you're not really thankful or you'd try to patch this feud up, instead of aggravating it."

The suspicion of a tremor in her voice caused him to look sharply at her; but the flat-brimmed pearl hat was slanted to hide her face, which also was kept half averted.

WHEN he remained silent when she waited for him to speak, she asked, "You're absolutely determined to build that line fence?"

"Yes."

"And nothing will shake your purpose?"

"Nothing."

"Not even if I so far forget the proprieties as to ask you to abandon that idea for my sake?"

"No."

There was a constrained silence broken only by the light slapping of her quirt as she flailed her bootleg abstractedly. Then brush crackled ahead, and Beezum appeared in the path, walking gingerly, his massive neck held kinked. Watching the girl, Searles knew that she saw the wounds and appraised them correctly. His thoughts black, he was startled when she leaned her weight on one stirrup and extended her gauntleted hand to catch his sleeve, impulsively. "I'm sorry," she raised her dark blue eyes to his face to say, simply.

His self-control snapped. Jamming Nig against her mount, he caught her about her slender waist and pressed her to him, almost fiercely. For seconds, she yielded, warm and vibrant against him. Then she pushed and wrenched herself free, her oval face flaming.

"As I already have told you, I'm sorry for what has occurred," she told him, icily. "I suppose the Bar-H is responsible but I hardly care to pay the damage in this way."

Then she grew unexpectedly defensive. "It's not altogether one-sided, though. Probably some of our people shot your animal; but it's a certainty that none of them did it until you had set out to dry us up—ruin us completely. Tit for tat!"

Remembering that Colt Tyler had made that same charge, Luke was puzzled, and not a little resentful.

"Quite a serious accusation," he shrugged, "especially as it is absolutely without truth or reason."

"These men," she said, as speaking to herself. "They wouldn't stoop to lie to each other, but the truth isn't in them when they talk to a woman—as if all women were too weak to face truth."

"Meaning just what?"

"Meaning that you charged Father directly with the wounding of that bull and he didn't deny it. He'll probably deny it when I ask him about it, though.

"Likewise, you made no defense

when Father reminded you that you were stealing our water. Now, you pretend to me that you don't know what I mean, when I mention it.

"Nevertheless, it's a moral certainty that Father did have your bull shot. He has done such things unhesitatingly in the past, and age hasn't cooled his blood any.

"Also, it is a certainty that you set out deliberately to ruin us by—"

He stiffened, then stood up in stirrups to look quickly over the saddle-high brush. From somewhere to southward or westward a rifle shot had sounded, caught up by a hundred baffling echoes that tossed the sound about until it seemed to come from everywhere. Rising above it, came the bawl of a cow brute in agony, then another shot, and the faint, far pound of shod hooves on hard footing.

Luke touched Nig with the spur and the big horse hurtled down the path in a shower of spattering gravel. As he stooped in saddle to work his saddle gun from its sheath in the skirts, he heard the filly racing after him, and the girl's flutelike voice calling some inquiry.

As Nig careened around the curve of the path, a lighter gun spoke dead ahead, then twice more in quick succession. Then the rifle blared, a little to his right now, he thought. Following it, those pounding hoofbeats again, dimming slowly somewhere to westward.

Searles twitched the rein, slanted toward the creek bed for a quarter, then whipped Nig over a low, barren knoll and threshed him through a sumac clump on the second bottom.

Then he reined in so sharply that Nig's braking hoofs grooved the sand, sending it up in showers.

Almost on the reek bank, Shorty Dean's paint bronc stood, head down, ground-hitched by the dangling reins. A little way on, Shorty's body lay twisted grotesquely the homely, good-humored face upturned to the brassy sky.

Before he had slid out of saddle, Luke knew that the faithful little puncher was dead.

- 4 -

THE ROAN filly came threshing through the brush, shying, big eyed when her rider stopped her. Her face a chalk-white cameo on an amber background, the girl looked at the fallen puncher, her lips framing the awed word, "Dead?"

"Yes," Searles answered, shortly.

She wrung her slim hands nervously. "Isn't there anything at all that I can do?"

"Yes. I see Bob and Dan coming from my house. Meet them and tell them to take the poor fellow in." He jerked his head toward a whiteface cow that lay still by the creek bank. "He happened along—probably uneasy about me—and ran into a sneaking devil who had just shot that cow.

"The pitiful part of it is that Shorty was off duty, and should have been abed. He fought for the Triple-S, and he died for the Triple-S." He could not forbear adding, grimly, "More men will do that, before the summer is over."

While speaking, Luke had caught Nig's reins and swung up. He reined right and shot the big horse off the creek bank and sent him scrambling across and up the opposite side. As he rode, he struggled to repress the rage that was seething within him, and think lucidly.

No one had come northward. Had anyone ridden southward or eastward, they would have been sighted. The retreating gulcher's horse had galloped over rocky footing. Grabbing the biggest probability, Luke swerved Nig more to the right and sent him surging

into the mouth of a deep wash that curved northwestward through a jumble of rough that was a continuation of the badlands north of Deever's place.

It was a random guess, prompted by a desperate desire to come to grips with the assassin. But, within a minute, while Nig's pounding hooves were padding in a sand pocket, Searles heard iron anviling on rock again, and was almost certain that it was on up the drain. Confirming this, Searles became aware of light dust clouds floating ahead as Nig thundered on, feeling gouging steel for the first time in years.

Something hummed past Nig's bobbing ears and Luke felt the pull of a slug that missed his ribs only by inches. Knowing that a right-handed rifleman would be clinging to the right hand wall, he raised his saddlegun and sent lead spraying ahead of him, concentrating his fire on a projecting shoulder where a smoke haze thickened gradually as the ambusher continued to throw lead.

Searle sensed that his adversary had little hope of hitting a moving target at the distance, and was only trying to check him and set him to guessing. He kept on, zig-zagging his horse to make a hit more difficult, and continuing to take snapshots at the growing smoke cloud.

When the firing ahead stilled, he suspected a ruse; but his blood was up, and he was willing to close and take a chance. A boulder on the rocky floor offered cover, and he swung Nig to get it in line with his hidden enemy. He was just reining in to drop behind the big rock, when the rat-a-plan of hooves up the drain told that the chase was on again. He picked up the tiring Nig's head with the reins and kept on, consoling himself with the thought that the other horse must be weakening, also. Long as the other's lead had been at the outset, he knew that Nig was as good as the best, and he was willing to run Nig out in an effort to come up.

A bruising half mile over footing as hard as macadam brought them to a lateral drain that Luke passed, on the guess that it was a box that led nowhere. Another grueling quarter, and the wash forked three ways. Searles had to guess again, almost at once. He had encountered a sand pocket where no tell-tale print showed.

Racing back to the fork, he worked the two other branches out, in turn, with the same lack of success. There remained but one theory. That lateral back there. Forcing his straining horse unsparingly, he was retracing his way to it, when he met the girl, urging the roan filly at top speed. Barely noticing her, Searles turned into the lateral, sickening at the knowledge that more than five miles of real racing had slowed his horse appreciably, and that his foxy quarry had a long lead again. He kept grimly on, though. Somewhere among that crazy maze of washes was his man; luck might lead him to him.

GLANCING back, after a hundred yards or so, he saw that the girl had dismounted and was running toward a tall, blasted pine that stood like a sentinel at the rim of the drain.

Luke kept on, crossing another and deeper wash where unmarked sand on each side told that he still was on the right track. He was on unfamiliar ground now, and merely groping, hoping for a break. He almost despaired when, fifteen minutes later, he stopped the foaming Nig where a veritable network of shallow drains joined the wash. Turning in among them on a chance, he found that they criss-crossed in every direction.

Whipped! Turning the faltering Nig back, he selected a channel that promised to deepen as it bore eastward. He was walking the jaded horse along it when he heard hoofbeats again—ahead, he thought. Instantly he leaped to the conclusion that his man had been hiding in that jumble back there, and had been stirred out, as a rabbit is put from brush. He amended that conclusion a

few minutes later when the sound of the chase grew suddenly dim, and he knew that there were two drains roughly paralleling as they wormed eastward. He was in one; the fleeing man was in the other.

That made a race of it, again. Heartsick at having to work the last ounce of energy out of poor Nig, he called for what the good horse had left. A little later, he swore luridly when the drain swung almost directly southward for a way, then curved widely.

It was heart-breaking. He could not hear the other horse at all now, and knew that, traveling in a more direct line, it had outdistanced him.

FIFTEEN minutes later, Nig reeled weakly but gallantly down a straight half mile, at the end of which waving treetops showed.

Luke took heart. After all, he might reach the open in time to sight the skulker—perhaps even identify him. Bearing doggedly on, though his breath was coming in great roaring gasps now, Nig finished that last stretch, bursting into the open almost directly westward from the Bar-H ranchstead.

What was this? A galloping horse, near at hand. Searles had barely reined in when the head of a powder-faced cayuse came bobbing through the brush on the slope, and Deever reined it in, nose to nose with Nig, who stood head down, feet braced wide, puddling in his own sweat.

"'Lo," the big rancher greeted, twisting sidewise in saddle as though to relax for a friendly chat. He looked at the glassy-eyed Nig, critically. "See yuh been workin' him out some."

His beaver tushes showed in a whimsical grin as he eyed his own dripping mount. "Been havin' a little run-in with this ornery tackhead, myself. He's plumb water shy, an' liketa busted me when I turned him inta th' ford, a bit ago. I run him up an' down crick till he got plenty used to water, I'm sayin'."

Paying little attention, Searles had been looking the open country across the branch over keenly. "You say you just crossed?" he asked.

"Yeah. Not a minnit ago."

"Meet or see anybody in the last few minutes?"

Deever scratched his bulldog chin thoughtfully. "Well, I ain't exactly met nobody. Somebody crossed a little above here a bit ago—one of th' Bar-H boys, I reckon. I couldn't git a good look at him from th' brush, but he rid up to Colt Tyler's, I guess. He was goin' like hell a-beatin' tanbark, an' was headin' for th' house."

"Sure of it?"

"Yeh—why?"

Searles told him, took him across the branch and showed him the dead cow, told him about poor Shorty. "Tyler's work, of course," he accused.

Ben Deever was noncommittal. "Mebbeso. An' what do yuh figger on doin' 'bout it?"

"Fight—fight as long as I'm on my feet and have a slug left."

Deever shook his big head dubiously. "Bad bizness. It won't git yuh anything but a wooden overcoat. Mebbe yuh kin figger some other way out, when yuh give it a good thinkin'."

The big rancher's voice took on a hearty, friendly note. "Yuh're a good feller an' a game feller, Searles, but yuh ain't gotta sick Chinyman's chance to push horns with Colt Tyler an' have luck.

"Speakin' as a friend of your'n' who'd hate to see yuh kilt, I'm advisin' yuh to back off while yuh kin."

Luke's voice was bitter. "Back off and wait till all my good stock has been shot?"

"No. Yuh're dead game, but even a dead game man hasta use sense. Thing fur yuh to do is to sell out, while yuh still got somethin' to sell.

"I ain't plumb poison with money, but if two-three thousand looks good to yuh—"

"It doesn't. I'm sticking, win, lose or draw."

Deever shook his head and gathered up his reins. "Sorry yuh won't let me help yuh none. If yuh change yur mind later on, let me know. If yuh want me to help out with th' 'rangements fur Shorty's fun'ral, all yuh gotta do is to holler. I wanta be a good neighbor."

Deever rode off. Sick at heart, Luke turned homeward, walking and leading his blown horse. As he turned into the little triangle of yard fronting his house, he looked back toward the distant rough and saw the girl ride into the open. At the distance, he couldn't be sure, but he thought he saw her beckon to him.

If she had or hadn't, it mattered little. Diane was pretty and vivacious and altogether lovable.

But she was a Tyler. All the way from the creek to the house, Luke had been thinking of Shorty. He was not in a mood to commune with any Tyler—not even with her.

- 5 -

SEARLES experienced a feeling of real desolation when Craney informed him that Shorty's body had been sent to town to be prepared for burial. Somehow it seemed that the little puncher would not have liked it to be done that way. He had started work when the Triple-S was founded, and had been a part of it since. Though he made no comment, Luke felt that Shorty should have been kept there till the last moment.

Depressed, boiling with inner resentment, hot with the desire for vengeance, Searles spent the day doing odd jobs about the barn and corrals. When Bob and Dan returned from town at dusk, the four of them ate a late supper in moody silence, for the most part.

After Bob and Dan had left to ride night herd, Craney appeared in the livingroom where Searles was smoking an endless chain of husk cigarets, his thoughts as black as the night outside.

In an obvious attempt to cheer his boss up, the lank puncher chatted about ranch affairs as though nothing unusual had occurred. At first, Luke paid little heed, answering mostly in monosyllables. He felt quick interest though, when, apparently bent upon getting more attention, Craney said, "Funny thing about th' way that water's actin'."

Like a flash, Searles' mind cleared of obstacles which had obscured a fact that now leaped into prominence. That morning, he had known vaguely that something unusual was in the air of the ranch. Then Colt Tyler had accused him of attempting to dry up the Bar-H. In the heat of their discussion, the reason for that accusation was not made clear. Later, the girl had made the same charge; but before he could ask her to be specific, the shooting of Shorty and the chase after the murderer had wiped the whole matter from his mind. "What about the water?" he barked so crisply that Craney's Adam's apple did a frog hop.

"What about th' water?" Craney repeated, after swallowing the Adam's apple to get it out of the way. "If yuh'll tell me why that drain's gone loco, I'll tell yuh. Then we'll both know."

Luke's patience was strained. "Talk sense, dammit," he snapped. "You've got something on your chest about that water. Get it off."

"Glad to 'commodate yuh," Craney assured him. "Th' facts I know just nach-ully can't be true, but they're facts just th' sam-ee."

"Shoot 'em at me then."

"Shootin'," Craney held up a freckled hand and commenced counting on his fingers. "Fact number one is that our branch is runnin' steady, though

they hain't been no rain fur more 'n ten days. Yuh know as well's I do that th' drain never has any water 'cept when Comanche Crick gits out of 'er banks an' spouts inta it."

"Perhaps there have been rains up creek," Searles offered.

Craney shook his unkempt head and counted another finger. "Fact number two is that th' water that's runnin' in that drain ain't no flood water. It's clear as glass—spring water, if I'm any judge of hawse teeth."

Searles whistled explosively. "Whew-ee! That must mean that a new spring has opened somewhere this side of the creek, and—"

"Fact number three is that I've rid th' branch till it jines up with th' creek. They ain't no spring along it."

"But—"

"An' fact number four—gitta grip on yur chair—is that th' dry branch an' th' crick had changed jobs over there on that gov'ment land west of th' Bar-H. What I'm meanin' is that th' Bar-H's spring crick is a dry branch, an' our dry branch is a spring crick.

"That's a damn lie, of course, but it's th' gospel truth, just th' sam-ee."

"But—" Luke started to say that he had crossed the creek below its junction with the drains that day, and there was water in it. But he remembered that he had crossed under the excitement of the chase, and might have spattered through a still pool. He tried to remember if there had been a current but couldn't.

CRANEY lifted another finger. "Fact number five is that Lem Hadley, that lop-eared two-gun foreman of th' Bar-H, was in town today, buyin' plenty ammunition an' a shirt-tailful of dynamite, so Bob and Dan reports. He told it aroun' that yuh'd dammed th' crick to change th' water, an' that he was gonna blow th' dam higher'n hell and shoot th' guts outa anybody that tried to stop him. Th' boys didn't wanta worry yuh 'bout it, but I reckoned yuh'd orter know.

"Fact number six is that if yuh dammed that crick all by yurself—"

"But hell, man, you know I didn't. It's against Nebraska law to change the natural course of a stream."

"Course it is; an' course yuh wouldn't do a thing like that. All th' sam-ee, yuh done a slick job of it. Furdermore, us boys is organizin' a anty-dynamite club, th' main principal purpose of same bein' to keep that dam right where it is. It's a monument to yuh."

"I tell you I didn't dam it. It must have dammed itself, though I don't see how it could."

"Yuh're a modest cuss," Craney said, admiringly. "If I'd done a clean one-man job like that there, I'd git out some handbills with my pitcher on 'em an' tell how I done it."

Luke had started to protest again when there was a hail outside and he opened the door to admit Sam Tuttle, nester-rancher whose untidy little place joined the Bar-H.

Tuttle was small, stooped, dressed in faded denim jumper and overalls, fairly quilted with darns and patches. He carried a rifle on his shoulder, and he had a furtive, hunted air. "I had a run-in with Colt Tyler, this afternoon," he stated, without preamble. "My milk cow got inside his haylot, an' he wouldn't leave me have 'er... Made me so dawg-gone mad I took a shot at th' ol' coyote when he laffed at me as I was startin' to leave.

"Reason I come to see yuh is that Colt's been twistin' yur tail some, same's he has us fellers over east. We had a meetin' at my place this afternoon, an' we decided to fight hell out of th' Bar-H, if yuh'll throw in with us. Th' boys sent me over to put th' proposition up to yuh fellers."

"She's accepted, plumb unanymous," Craney said, promptly. Paying no attention to him, the nester slid into a chair and watched the face of Searles,

who had risen to pace the rag rug nervously.

"Well?" Tuttle said, inquiringly, when Luke returned to his chair and started to lace up a fresh smoke.

"Don't know just what to say," Luke answered, thoughtfully. "I'm frank to say that I'm fighting Colt Tyler every way from the deuce, from now on out.

"But I'm single. With you people it's different. I can take a licking—even go down; but you fellows have families. I can't encourage you to fight a man who has much more man power than all of us put together."

Tuttle rose and shouldered his rifle. "That all yuh gotta say? If it is, th' war's on. Us little fellers' families might as well starve quick as slow. As things is goin' now, we can't git ahead a inch or even make a decent livin'. When I go back an' tell th' boys yuh're fightin', that'll be all they need to know. When yuh want us, send word, an' we'll come a shootin'."

"What about Deever? If he throws in with Colt, we won't have any more chance than a thin yearling in quicksand."

Turning at the door Tuttle thrust out his stubbled jaw. "Chance or no chance, Searles, we fight if you do. We ain't dumb if we are two-bitters. We know damn well that if Colt smashes you, he'll gobble this grass an' water an' fence us off complete just as he has with his place.

"Yuh're fight's our fight, Searles, an' we got sense 'nuff to know it!"

WHEN TUTTLE had clumped out, Craney went off to bed, after another vain attempt to cheer his boss up. Luke hauled off his boots, then changed his mind and hauled them on again. He knew he wouldn't sleep. Buckling on his belt, he tilted on his hat and started to go outside, intending to ride out and have a look around. As he opened the door, the night spoke again.

A horse stopped close up to the porch. A rider slid heavily down, and in the band of light streaming through the door, Searles caught the glitter of a star on the man's vest. It was Harston, the slouchy, loose-jointed deputy sheriff. Without words, he crossed the porch and stood blinking on the threshold, accustoming his puffy-lidded eyes to the change from the darkness without to the glare within.

Luke caught the tense look on the officer's heavy face and was puzzled, and a bit angered. "Well?" he inquired, when the other said nothing.

Harston looked back over his shoulder with the timid air of one who wishes to be certain that he will be supported in a desperate venture. He was not disappointed. Four other men came around the corner of the house and stepped into the band of light. Two of them were Bar-H punchers; the other two were townsmen known to be friendly to Colt Tyler. All four carried rifles, and held them at a ready.

Harston licked his lips and said with official dignity that was discounted somewhat by his evident anxiety: "I'm takin' yuh, Searles. Best come along peaceable."

With the words, the deputy drew a heavy six and leveled it full on Luke's chest. At the moment, he was one of the most dangerous of all men—a trembling coward, acting under the spur of desperation, and triggered to do anything, sensible or otherwise.

Luke knew he was in a tight spot, but he was tired of being imposed upon. "You haven't taken me yet, Harston," he said evenly, "and you won't have a lot of luck if you try."

"I got th' drop on yuh," the deputy said tremulously. "'Sides that we're five to one. If yuh make a fighty move yuh drop."

"Maybe so," Luke admitted. "Something tells me, though, that if I go down, you go down with me. I've centered my mind on that. What I mean to say is that if you or any of those back of you makes a move toward me,

I go for my gun. You'll get me, of course; but, my last thought will be that I have to get you. I've an idea that, even if the five of you shot me, my hand still would get out a six and crumple you! That's the order that my brain will telegraph, Harston, just as it ceases to function.

"Crack down, when you're ready. First, though, it might not be out of place to tell me what all this means."

Knowing that when talk starts, shooting is postponed indefinitely, Searles was trying to get the bull-headed officer into an argument. He succeeded, in part.

HIS SIX wavering in his right hand, the deputy cuffed accumulated sweat off his corrugated brow with the other. "Yuh gotta right to know why I'm throwin' a loop on yuh," he admitted. "I'm also warnin' yuh that anything yuh say may be used 'gainst yuh, in court."

"Court, eh? Court hell! Yuh mean a jumped-up court of vigilantes, picked by Colt Tyler, with his pfeisty little Justice of the Peace presiding.

"Go ahead and say your say, though. What have you against me?"

"Harry Tyler was shot, some time this afternoon," came the surprising reply. "I'm gonna take yuh fur th' shootin', that's what."

For a moment Searles was too shocked to speak. Harry shot! Forgetting his own position, he asked, eagerly, "Was he hurt bad? And how did it happen?"

"He's shot bad—plumb desp'rit. Colt sent fur a doctor from Springdale, an' he's workin' on him. Says they's only a slim chanct—lost too damn much blood.

"As to how it happent, that's what th' boys wants to ast you. All they know is that he started over here to see what happent to Diane, when she didn't come back to th' Bar-H after leavin' there with yuh. Then, when she come back an' Harry didn't, th' punchers started huntin' him. They found him just inside yur north line, shot plumb through an' through—from behind, at that. He—"

"Aw hell," one of the Bar-H punchers spat out, disgustedly. "Gonna stand there palaverin' all night, Harston? Why don't yuh go 'head an' put th' hobbles on him?"

"Nobody puts anything on me or takes anything off me," Luke said, firmly, addressing the deputy. "I want to be reasonable, so I'll make you a fair proposition.

"I'll go to town with you, and I'll give you my word that I won't try to escape. But I keep my gun on my hip, and I don't go to jail. I'll stay in the jail office, though, till you get ready to hold your kangaroo court.

"If you don't like that, go ahead and crimp your trigger finger."

HARSTON looked relieved. "Fair 'nuff," he grunted, despite the muttered protests of the Bar-H punchers. "I know yur word's good, so le's git goin'. C'mon."

"Company first," Searles told him. "Along that same line, I'll say that I intend to ride at the rear of this parade, all the way to the jail house."

"That's no way to take a prizner in," Harston protested, when the Bar-H two mumbled again.

"That's the way you take this one, if you take him at all," Searles told him. "I'm not inviting a slug in the back from one of Tyler's flunkies."

The officer passed outside without further comment, the others filing after him. Bringing up the rear, a hand on his gun-butt, Luke Searles had just passed through the arch of vines that canopied the eave of the porch when he dodged instinctively and dragged at the gun.

Too late! In the same mental flash that told him that cautious Harston had left a man or men outside, he knew that someone was striking at him from the gloom to his left. He ducked,

squirmed, evaded a blow, only to receive one from a second man on the other side of him. His skull seemed to crack wide open as blow after blow descended on it. He had a confused sense of voices, a rasped order of some sort. A hundred hands appeared to clutch him, and the thud of gun-butts and barrels on his head and neck and shoulders became a veritable drumming.

His gun-hand held fast by more than one pair of hands, he struck a short pistonlike blow with his left, bruising his knuckles on teeth that gave before the force of it and brought a gurgling howl from whoever had taken the blow.

They were swarming all over him now, striking, kicking, clamping with his arms—defeating each other's effort in their haste to bring him down.

Once, as though from a great distance, Craney's thin nasal voice penetrated his befuddled mind with a sort of cracked warwhoop that ended in a howl of anger and pain.

Then Searles was fighting alone, again, and there was triumph and high satisfaction in the thought that he was making a man's fight of it, against heart-cracking odds. Someone was bear-hugging him from behind; the arms of another were locked about his calf. He wrenched, writhed, twisted, kicked with his free foot till his calf was released and the man who had held it collapsed under-foot, cursing luridly. He laughed shakily when a boot thudded against his ribs without bringing him down. A hand clutched his throat and he rallied every atom of his failing strength and energy and uppercut viciously with his right, laughing again at the pistol-like crack of his fist against a hard jawbone.

The white splotch of face at which he had aimed the blow receded, but the wave of sweating human flesh engulfed him again, washing him backward until his hips were against the planking of the porch.

Then someone shoved his head into the band of light that streamed through the door, and struck calculatingly with a pistol butt. The blow drove his pain away, eased all his worry, shackled his fighting instinct.

Searles was out, though still on his feet. For a time he felt the fists still drumming against his face and chest, but hurting him not at all. Then the blows seemed to grow lighter and he swayed for a time in that hazy, peaceful zone between consciousness and oblivion. Then, to his surprise, he seemed to fall asleep—a welcome, restful slumber marred neither by fears nor troubles.

-6-

FOR THREE days, Luke Searles lay in the stinking jail in the lower story of the rickety wooden building that housed the town hall. During the first day, he had invoiced and treated the mass of minor bruises and abrasions that covered his skull, face and chest. He now was fit again, physically, but uneasy and angry, mentally.

Visitors had been denied him. Bill Harston had been crusty and short spoken. Though he paid for it, the food served was of poor quality, and his bunk was a dog's bed. He hadn't had a hearing, and Harston wouldn't say when he would get one. The wooden-faced, silent-moving deputy just came and went, paying tribute to his prisoner's prowess by looking fearfully at him through the bars as though afraid his charge would tear the cagelike cell down and rend his jailor limb from limb. "Takin' no chances with a go-gittin' heller like yuh are," he explained once when Luke twitted him upon his extreme caution. "Yuh come damn near nickin' hell outa my hull posse, an' I ain't gonna give yuh no break a-tall.

If yuh try any funny bizness, my six commences squirtin' right then. It'll keep on squirtin' till they ain't no live folks in this jail but me."

"But, what am I charged with?" Searles asked, for the dozenth time.

The deputy surprised him by answering, "Nawthin' yit. Can't tell till th' sawbones feller gits through sortin' Harry Tyler's innards to find out if they's anything worth patchin' up an' savin'.

"Maybe it'll be 'sault to murder, maybe plain murder." He glowered at his prisoner for a time, then added, significantly: "Dunno's it'll make a hull lotta difference, at that."

Luke knew what that meant. There would be the semblance of a trial. If Harry died, they could hold him for murder and railroad him to the scaffold they would build over-night. If Harry lived, the vigilance committee would relieve the courts from any worry about the matter, and would solve it with a stout rope and a cottonwood limb.

On the fourth morning, while looking out of the front window of his prison by standing on his bunk, Searles noted that an unusual number of people had congregated in Comanche. On the west side of the street, he could see men knotted under the wooden awnings, in animated discussion of some event he knew must be of an exciting nature. On the near side and to southward of the vacant lots that were next to the jail, he saw Colt Tyler on the walk in front of the closed saloon. He was surrounded by a group of his punchers, and something in their taut attitude told that they were expecting trouble. Tyler's right arm still was carried slung, but he had a holstered gun on his left hip and he was toying abstractedly with the butt of it as he talked to his silent men.

By noon, the town had grown still more uneasy. Business men along the narrow canyon of false fronted buildings closed their places to go home for their noonday meal, as was customary; but, on this day, they did not come back, and the stores remained closed. Meanwhile, the crowd of humanity on the sidewalks thickened, and Searles felt his own nerves grow taut when he noted that they were divided into two groups.

Colt Tyler and what appeared to be the entire Bar-H force occupied the walk on the west side. With them were a few partisan townsmen—Squire Simpson, and Deputy Harston among them.

Luke could see only a little way down the walk on the east side by looking along the front wall of the jail building; but such men as he saw there were nesters and small ranchers, all of them heavily armed—an unusual circumstance, in itself. They were clustered about their leader, who was none other than Sam Tuttle. Such faces as Searles could distinguish wore a sullen, determined look—the look of men who know they are face to face with destruction, but do not flinch from it.

Comanche was geared for a bloody fray. The throwing of a rock; an insulting look, word or gesture; one man jostling another; the accidental discharge of a firearm—any of these trivial things would send rending, searing lead whistling and criss-crossing over that hoof-cupped street.

Searles felt his own excitement grow when a jingle of gear and padding of hooves to northward caused him to look that way, and he saw Ben Deever and his hard-bitten crew ride in. With which side would they line up?

Seemingly, the question was answered almost as soon as it leaped into his worried mind. His tushes gleaming white under the broad brim of his big pearl hat, Deever halted his force where Colt Tyler stood. However, instead of dismounting, he jerked his head and Tyler came off the walk. Deever rode a little way off from his men and the two talked for a time, be-

ing joined by Squire Simpson, and, later, by Bill Harston.

After a while, Colt and the little squire went back to the walk. To Luke's surprise, Deever and the deputy crossed the street and angled across the vacant lots toward the jail. When the key grated in the lock, Searles left the bunk and went to the cell door to meet them. He was mildly surprised when the deputy, after opening the door, motioned Deever through it, then relocked it and chugged back toward the street.

THE BIG rancher showed his tushes in a friendly smile as he came to the cell door and leaned his powerful figure against the bars. " 'Lo, Searles," he greeted. "Thought I'd drop in and have a little chinfest all by our lonesomes. I suppose yuh know yuh're in a hell of a tight spot. I might be able to give yuh a lift. Wanta talk things over?"

"That depends," Luke told him, cautiously. "The fact is, Deever, I don't know just where you stand. Just a bit ago, you seemed to have lined up with the Bar-H bunch; now you say you want to help me.

"Come clean, will you? No use beating about the bush. There's a war on. Anybody can see that. I don't know what it's all about, but I do know you can't be on my side and on Colt Tyler's too."

"Funny coincydence," Deever grinned. "Colt told me that same thing, a bit ago. Yessir, he used almost them same words."

"Well, what did you tell him?" Searles pressed his face against the bars in his eagerness to hear the answer.

Deever's grin was displaced by a smug chuckle. "I told just what I'm gonna tell you, right now. I'm on th' feller's side that's on my side."

"Meaning just what?"

"Meanin' that I made yuh a proposition a few days ago. I'm makin' it agin —red leather, trade furever an'—no backin' out. I'll buy yur ranch, an'—"

"Buy it? You mean steal it. You didn't offer me a tenth of what it is worth."

DEEVER commenced scowling. "Yuh talk kinda rough, neighbor. As I said, I'll buy yuh out. That ain't all. If I buy yuh out, I'll help yuh outa this jam. Yuh may not know it, but things is bound to bust wide open here today.

"Yuh see, one of Colt Tyler's riders kilt Sam Case, last night. Th' nesters is plumb ringy 'bout that. They figger on helpin' yuh to break fence so yuh kin head 'em. Colt is out to veto that program.

"Now, what I'm sayin' is that I got th' balance of power, as any damn fool kin see. If I line up with Tyler, them nesters goes down. Incidental, yuh swing 'fore mornin'.

"But, if I line up on your side, we stand Colt Tyler off. He's pep'ry, but he ain't no damn fool. He'll lay off, at least for the time bein'.

"Now I told Colt I wanted a little more elbow room. His fences ain't placed quite to suit me. I want 'em moved back. He said he'd think it over.

"Now I've made *you* a proposition. What yuh gotta say?"

"What I have to say is that you can go straight to hell," Searles told him wrathfully. "I built up that little spread of mine from nothing, and when I let go of it, it will be because I'm dead."

"Which will be ten or twelve hours from now," Deever told him, scowlingly, then spun on his heel and stalked to the door kicking it viciously till Harston came and unlocked it.

"See yuh later," Deever grated over his shoulder as he crossed the threshold. When the two of them chugged across the vacant lots, the crunch of their bootheels on the gravely soil carried back to the deserted prisoner like the strokes of doom.

Searles shook the bars of his cage

in futile exasperation. The little fellows would make a hopeless fight, partially on his account, and he couldn't even have the privilege of going down with them.

Somehow, he couldn't tell just why, he wanted to get a shot at Ben Deever worse than he wanted to crumple old Colt. Vaguely, it had come into his mind that Deever had had something to do with bringing about the present situation. There was not an iota of evidence to support that suspicion, yet he could not shake off the feeling that the two-faced rancher had stirred up most of the trouble, if not all of it, hoping to sell his support to one side or the other when the crisis came.

At the thought, Searles shook the bars again, like a caged animal. To think that he had been played for a sucker. Beezum had been crippled. Poor, loyal little Shorty had been killed. Harry Tyler was at the brink of death. Searles, himself, was doomed, unless some miracle intervened to enable the nesters to win out and—

Up on his bunk again, he suddenly grew rigid, gazing fascinated at a sight he knew would bring about the expected explosion. Coming from northward, keeping to the middle of the street, Lem Hadley kept his stubby hands on the butts of his long-barreled sixes as he entered the zone between the two forces.

THE SQUAT foreman was reeling drunk, and his coarse voice rolled tauntingly across to where the nesters were clustered. "Hey, yuh pop-eyed salamanders!" he yelled. "Lookit at me, then go home an' tell yur wimmen yuh've seed a real he man! Yeh! Recommend me to 'em as a hairy-he worth goin' miles to see!

"They tell me yuh're out fur war!" he spat disgustedly into the sand of the street. "War hell! Yuh couldn't fight a bunch of preachers an' ol' wimmin!

"I see that damn fence-creepin' Tuttle 'mongst yuh! He's big bull of th' herd, so they say!

"He-he-he! Tuttle, th' bad man, eh? Why damn yur humpbacked soul, I dare yuh to gimme a word of sass or even step a yard away from yur crowd. If yuh do, I'll—"

The killer dropped to a fighting crouch. His guns flashed out, and the right one roared as Tuttle stepped to the edge of the walk and swung his heavy rifle awkwardly to his shoulder. Before he had nested the butt, the gun dropped from his nerveless fingers and he pitched off the walk and fell face downward, his short legs threshing convulsively on the edge of the planking as his head and shoulders wallowed in the trash-cluttered gutter.

AN AWESOME silence clamped down on that sun-glared street—the fearsome silence that precedes a storm of sanguinary action. It was war, as every man there knew—grim, bloody, relentless war that apparently could have but one ending, but would be fought, nevertheless. Like two boxers, each waiting for the other to lead, the opposing forces eyed each other silently, waiting for the thing to start.

Again it was Hadley who released the spring that sent them into action. "One ball, an' one doll-baby down!" he bellowed, triumphantly, and started to cross the street. "C'mon, boys, we'll make them damn plow pushers wish they'd never—"

Too late Bill Harston leaped and caught the swaggering gunman's collar and dragged him back toward the walk. One of the nesters had fired and an answering fusillade seemed to blow the little huddle of nesters off the walk and into the vacant plot. Two of them lay still on the walk and another crept under it, dragging a leg that appeared to be boneless.

The block leaped into roiled action. Evidently proceeding in accordance with a prearranged plan, the nesters retreated along the side of the saloon,

fighting stubbornly all the way. Two more of them dropped before they reached the alley, where they smashed open the rear door of the saloon and went inside.

Meanwhile, Colt Tyler and Deever had not been idle. Two of their men were down, also; but the rest were maneuvered cannily by their leaders.

Colt Tyler's men flowed into the doorway of the hardware store, pressing the double doors inward with a great tinkling of falling glass and groan of rending wood. Almost at once, their lead commenced singing across, riving great splinters from the front of the saloon, smashing the panes and shattering the array of glassware inside. Black, stinking powder smoke eddied from beneath the wooden awnings and spiraled lazily along the rows of false-fronted buildings till the block was obscured in it.

Still mounted, Deever's force galloped southward out of the line of fire, then swung out of their saddles, crossed and commenced working northward from building to building, maintaining a continuous crossfire on the defenders of the saloon. Searles' heart sank and he almost sobbed when he saw Deever and a half-dozen others climb the awning posts of the squat postoffice and open fire over the ridge. The saloon was flanked and soon would be untenable. "Damn," he grunted. "If I only could get out of here—"

Unheard in the tumult, the door had opened and Deputy Harston came skulking in, for all the world like a gun-shy dog. Unable to hide the disgust in his voice, Luke said, "Brave officer, eh? You're plenty cocky when you're fighting one man and have a posse to help you; but look at you now. Doing your duty by keeping the peace, eh?"

The deputy's flabby face flushed momentarily, then went back to its pallid, green-white hue. "I reck-on it's my doo-ty to pro-teck my prizner," he chattered, cowering against the wall as a spent bullet sent a splotch of plastering dribbling to the floor.

"Yeh, protect your prisoner," Searles lashed him. "Protect, hell! Slip me my sixes and I'll protect myself!"

"Secont th' motion," a thin nasal voice called from the threshold of the door which the deputy had left unlocked in the haste of his entrance. Craney Burgess loped inside, his Adam's apple sliding up and down his long neck. At his heels were Bob and Dan, each with a rifle on his shoulder. Without taking the trouble to draw a gun on him, Craney caught the trembling Harston by his collar and shoved him toward the cell. "Unlock that there bear cage, yuh white-livered, lizard-eyed, gopher-voiced snake belly or I'll jump down yur throat and gallop yur guts plumb out!"

HARSTON unlocked the cell with trembling, groping fingers, then lumbered to a desk and got Scarles' gunbelt from a drawer. When the young rancher had buckled it on and got the feel of it, his spirits rose. At least, he could die like a man.

His arc of red beard fanning his nose in his excitement, Craney heaved his lean form to the bunk and started to raise his rifle, but Luke had formed another plan.

"Wait a minute, Craney," he ordered "Follow me all of you. We're going going out the back way and sneak up the alley. Then we'll cross and slip down the other alley and hit that bunch in the rear."

"Yuh're head's a-workin'," Craney applauded. "Git goin'. We'll be lopin' right at yur crupper strap."

In a minute the four had circled and reached the rear of the drugstore, next to the hardware. Searles ordered the three to remain there while he reconnoitered the hardware through a rear window. He had passed a coal shed and was angling for the rear wall of the building when some inner monitor warned that he was being ob-

served. As he halted, questioningly, a chuffy form reared up from behind an empty packing case.

It was Lem Hadley. The killer's coarse face was aflame with bloodlust, and his taunting voice came as he fell into his fighting crouch. "Comin' to git it, eh?"

"No, coming to give it," Luke answered, quietly. "I'm giving you the break, Hadley. When you're ready, crook your elbows."

THERE was a swirl of motion at Hadley's waistline and his guns appeared to leap from the lather to his hands. Right, left, right, they roared, then right again, after an interval.

But Searles had sensed the draw in time. Firing from the hip, he sent a slug tearing into the killer's chest in that infinitesimal fraction of a second that spells life or death to a duelist.

He fired but once, then stood watching, confident that he had won. For Hadley's first shot had been fired as his body was feeling the shock of probing lead. The slug missed, but it came so close that Luke could feel the wind of it on his cheek. The second and third shots chugged into the coal house, ten feet to the left of Searles, and the fourth flared straight up as the killer sank slowly to his haunches, coughing gurglingly. Paying no more attention to him, Searles watched the rear windows of the store narrowly, fearful that the firing in the alley had been heard inside—though the street just then was rocking to the mingled explosions of the guns of the two opposing forces.

When no one appeared at the windows, Luke went close and peered within.

Dimly seen in the gray-black smoke clouds up front, men were lined behind a barrier of nail kegs they had thrown across the building. Searles counted three men lying still behind a counter, and four more writhing on the floor. The despised nesters had not fought altogether without result.

He trotted back to where the three stood waiting anxiously. "Welcome to our meetin'," Craney told him, cheerfully. "Yuh was gone so damn long we was just 'bout to come humpin' after yuh. It's action we're honin' fur."

"Well, you'll get a plenty of it," Searles told him, grimly. "We're going to hit that bunch, and hit 'em plenty hard and sudden." He led them to where they could see the rear of the hardware store. "Craney, you and Bob take the left-hand window. Dan and I will take the other. When I say the word, throw lead fast and throw it straight.

"We'll git licked, of course, but we'll make it cost 'em. I'm tackling the door after a while. If I go down—"

He smiled wistfully, then amended, "I mean *when* I go down, back off up the alley, but give 'em unadulterated hell as you go."

"To hell with that," Craney swallowed the Adam's apple to say. "We back up when yuh do, an' we go down when yuh do. Now cock your tail an' do yur do. We'll stand pat with yuh, win, lose or draw."

"It will be lose, of course," Luke warned them. "The fire of the nesters is growing weaker by seconds, and—"

Craney caught his boss' sleeve and yammered, excitedly, "Yeh, an' th' fire of t'other geezers is growin' weaker, too! From th' way things sounds, I'm guessin' that they ain't nobody shootin' no more but Deever an' his bunch.

"Either I'm locoed as a June bug or they's a armystice of some kind!"

Startled by a statement that his own ears ratified, Searles waved the three back. "Stay put, while I go see."

Again he went to the rear window, and through it saw that the men inside were inactive. Some of them lay resting, wiping the sweat of excitement from their smoke-grimed faces. Others had risen to peer curiously out front. Prominent among them Colt Tyler stumped from behind the barrier of

kegs and went to the doorway. His thin voice carried back to the alley as he yelled exasperatedly, "What th' hell d'yuh think yur doin' out there, yuh dawg-gone little fool?"

"Fool yourself—the worst kind of fool, a stubborn old one," a clear young voice fluted back from the street. His heart pounding against his ribs, Luke leaped around the corner of the building and raced along its north wall to the front walk. His blood appeared to congeal in his veins at the sight presented.

Diane Tyler's mettlesome roan was mincing and prancing restively to and fro on the walk under the saloon awning. Sitting it easily, the girl reined north, then south—her slender young body a shield for her father's enemies.

Even as Searles glimpsed her, another figure appeared between the two little armies. It was old Buck Walden, oftentimes foreman of the Bar-H, steering his dun cayuse down the middle of the street as though he were out for a pleasant morning ride. He reined in a little nearer the hardware then the saloon, and bellowed. "Hey, in there! If Colt Tyler is still on his feet, have th' durn ol' chucklehead ramble out here!"

COLT TYLER came out, snarling and fuming, but Buck cut him off: "Hush yur big mouth, yuh gnat brained ol' gallynipper! Stan' in one place so a feller kin talk to yuh!"

"Don't wanta talk," Colt sputtered. "We want yuh two to git outa th' way so we kin—"

"Oh my Gawd," Buck lamented, "yuh never did have much sense when yuh was smellin' gunpowder! Quit walkin' up an' down in one place an' tell me what yuh want to war fur!"

"Them nesters is backin' Searles, an' we gotta wipe 'em out!"

"So-o? An' what has Searles done, that his friends has gotta be massacreed?"

"Plenty! He dried up my branch, an'—"

"That's a damn lie!"

"No, 'taint. An' he shot Harry, an'—"

It was the girl who answered the charge this time. "But, he *didn't* shoot Harry! Harry is conscious now, and the doctor says he'll live! Also, he *knows* who shot him; and it wasn't Mr. Searles!"

Colt Tyler fairly leaped with excitement. "Wasn't Searles? Then who th' hell was it?"

"I think I can answer that," Luke was surprised to hear himself saying, as a startling explanation of all his troubles leaped into his mind.

Seeing Searles for the first time, Colt Tyler snorted in rage. "Yuh know who it was, eh? Who was it?"

"Deever," Luke told him, bluntly, sure of his ground now.

"K'reckt, son. Go to th' head of th' class," Buck said, grinning.

"Yes, and I'm convinced that Deever shot Shorty, too," Diane cut in, still keeping her filly on the walk to insure that there would be no more shooting. "I just found out this morning that he says he saw someone ride toward our house right after Mr. Searles lost track of the murderer. He lied, for I had climbed a tree where I could see the land east of the washes. No one rode toward the house. What's more, Deever was the only one anywhere near the mouth of that wash."

Just then, Ben Deever slid down an awning post and came striding across the street, his tushes gleaming in a face that was black with malice and fighting fury. "Who's sayin' that I done them things?" he bellowed, glaring at the girl.

"I am," Searles intervened. "Just leave her out of it. It's all clear to me, now. If I hadn't been a fool, I'd have known it all the time.

"You wanted my ranch, so you set out to get me into trouble and buy it

for little or nothing. Failing in that, you figured on getting me killed."

"K'reckt," Buck ruled, again.

"You wanted my ranch," Searles repeated, stepping from the walk to the street.

"Yes, and he wanted *me*," the girl declared bravely. "That's another reason why he—

"Look out, Luke! Look out! *Look out!*"

Luke was looking out. His eyes locked with Deever's muddy ones, he had seen the gleam of hatred change to a flame of demoniac fury as Deever whirled from the girl to face him. Twin reports shook the canyon of bullet-ridden buildings.

And again, Luke Searles got the split-second start that kept him on his feet and unscathed while the giant rancher shook the length of his big body as a tree shakes before the last blows of the axe. Then he gasped and fell sidewise, as that tree falls.

"K'reckt again, son," ruled Buck, judgmatically. "Yuh shore saved th' state of Nebrasky court expenses an' th' price of a rope, that time."

Colt Tyler was stubborn, but he was weakening, obviously. An expression of relief crossed his face when someone in the crowd that had surged from the store to the walk spoke up: "Seems like ol' Buck knows what he's talkin' 'bout."

"Yuh're damn tootin'," Buck snorted. "Buck knows precise what he's talkin' 'bout, an' what he's sayin' is that yuh rannies better ooze on home an' take a nap. This hull thing'll come out in th' wash."

"But them nesters," Colt objected, a little weakly. "If we lay down our hands they may—"

"I'll guarantee the nesters," Searles said, quietly. He locked eyes with the elder man as he added, "You don't like me, Tyler. But I'm thinking you know my word is good."

Colt Tyler had kept a gun half drawn with his left hand. He jammed

it back into its frayed holster with a gesture of finality that eased the tension on both sides of the street. With all eyes on him, he thoughtfully rolled a disreputable looking cigaret and fumbled in his faded jeans vest for a match. After scratching the match noisily on his bootsole, he flipped it over his shoulder and dropped the cigaret unlighted to say, "They's still a plenty betwixt us, Searles. Even if yuh didn't shoot Harry, yuh tried to dry me up."

"That statement is absolutely false," Luke told him.

"Which is a perlite, gentlemanly way of sayin' that yuh're a spider-legged liar," Buck interposed. "Th' painful part of it is that that's just what yuh are.

"Git them elephant ears at right angles to yur thick skull an' lissen while I eddicate yuh a little.

"On th' day when I left outa here for Denver—'cause yuh was so ornery-tempered I couldn't live with yuh—I rid west an' crost th' crick where Searles' dry branch meets it.

"Wal, th' crick was gettin' to be a branch an' th' branch was headin' t'other way an' gittin' to be a crick. That's Gawd's gospel.

"At first, I thought th' eight-ten whiskies I'd gargled was makin' me see things, but I skirmished aroun' an' investigated an' found out what was what.

"A big niggerhead rock had come

loose on th' slope an' galloped down to th' crick just in time to pin down a bushy scrub pine that was floatin' down in th' current.

"Wal, th' rock helt th' top to th' east bank, an' th' butt slued aroun' an' lodged on th' fur bank. Light drift was runnin' fast, an' a jam had piled up in no time. Yur durn crick quit yuh jus' like I did—'cause yuh was too pesky-tempered to live with.

"I wanta call yur 'tention to 'nother fact. Then I'm done tryin' to clear rubbish outa yur mind. Comin' out from town, I had been backtrailin' Deever, just to keep in practice, I reckon. Anyway, I made out that he had wallered aroun' in th' mud there at th' forks fur quite a spell—lookin' th' layout over. I ain't a bettin' man, but I'll bet that bronc against yur hope of heaven—which is givin' yuh big odds—that Deever was th' geezer that put it in your head that Searles monkeyed with yur water supply."

COLT TYLER had been lacing up a second fag and started to light it. The match burned down unused till it scorched his tanned fingers as he looked thoughtfully at the ground at his feet. "Durn if yuh ain't right," he admitted, sheepishly.

He turned to Searles. "That lets yuh out about th' water bizness. 'Bout that shootin', I'm goin' home an' talk to Harry, personal."

"Yuh'll hear a plenty, at that," Buck promised, grinning through his spade of roan beard. "Yes-sir-ee, yuh'll hear yur good plenty—part of it from Harry, an' part of it from ol' Buck."

"And a little from *me,* when I get you home," contributed Diane, who had jumped her filly off the walk and crossed, after Deever's body had been carried away. She brought a momentary frown to her father's corrugated brow and caused Luke Searles to thrill as he never had thrilled before when she added, complacently, "Go on out to the ranch and listen to Harry. Mr. Searles and I will be along, directly."

"Oh-oh," Buck lamented, dolefully. "She's up an' give me th' mitten, direct. I brung her to this party; now she's up an' grabbed holt of a han'somer feller.

"Damn if I don't have half a notion to quit my job at th' Bar-H!"

"Who says yuh got a job at th' Bar-H?" Colt Tyler asked, caustically.

"I do," Buck said, coolly. "An' if yuh say I ain't, me an' yuh starts 'nother little war, right here."

AND IN that blood-puddled street the two old cronies argued and cussed each other affectionately, while Comanche set about to care for the wounded and prepare the dead for burial. Meanwhile, a stalwart young rancher and a blue-eyed, amber-haired girl rode together in the wake of the departing prairie sun.

"I'm sorry your father dislikes me so," he told her, as they left the wagon road for the house trail, their stirrups cuffing, sociably.

"You know the Bible says, 'The Lord chasteneth whom He loveth'," she reminded him. "Father is that way, too.

"I think that if he had the chance, he'd learn to love you."

"Well, he'll sure get the chance, if I have my way," Searles declared boldly.

She glanced quickly at him, then dropped her eyes demurely. "We-l-l, if I'm to consider that a proposal, all I have to say is that I'd do almost anything to make you and Father like each other."

They walked two horses in a path that ordinarily accommodated one until they were startled into single file by a burst of song behind them. It was Craney, Buck, Dan and Bob, stridently, if discordantly, singing that old range ditty:

"When a girl an' a buck-ar-oo
Aim fur to make it do,
No trail needs wid-en-in',
Fur them to go ri-din' in."

The only way for Digger John to escape this frameup was to cooperate with the Warden, and become a real road agent!

DIGGER JOHN--Robber!

by A. A. BAKER

HARDROCK PRISON, scabby beneath the Sierra sun, crouched back under the sweaty shade of Boulder Mountain. The walls, three feet of souring adobe and saturated with summer heat, puffed it up and slapped it across the treeless jail yard. The one unbarred window, of Warden Stringfellow's office, glared out like the patch on a pirate's eye.

The warden's office was superheated by the sweat of a fighting prisoner. He was a huge man and now prone on the scuffed floor, his chest gasping for breath. A guard, bloody from a cracked forehead, again raised the leather covered trace chain.

"Don't hit him no more." Warden Stringfellow paced the room, flexing a fat arm and beating one cracked fist into a puffed palm.

"Best to kill him," panted the guard. " 'fore he kills one of us. They said this Digger John was three-fourths grizzly an' they're bettin' in the mines we'll never hold him."

"He's bein' held now," growled Stringfellow, "and a few more trips into this office should take the steam outa him!"

"A fella who fights like that," the guard was calming, sounding almost sympathetic, "might be he never done that stage robbin'—just like he keeps sayin'."

"He done it," the warden frowned at the alien hint of pity. "Now get out, Blair."

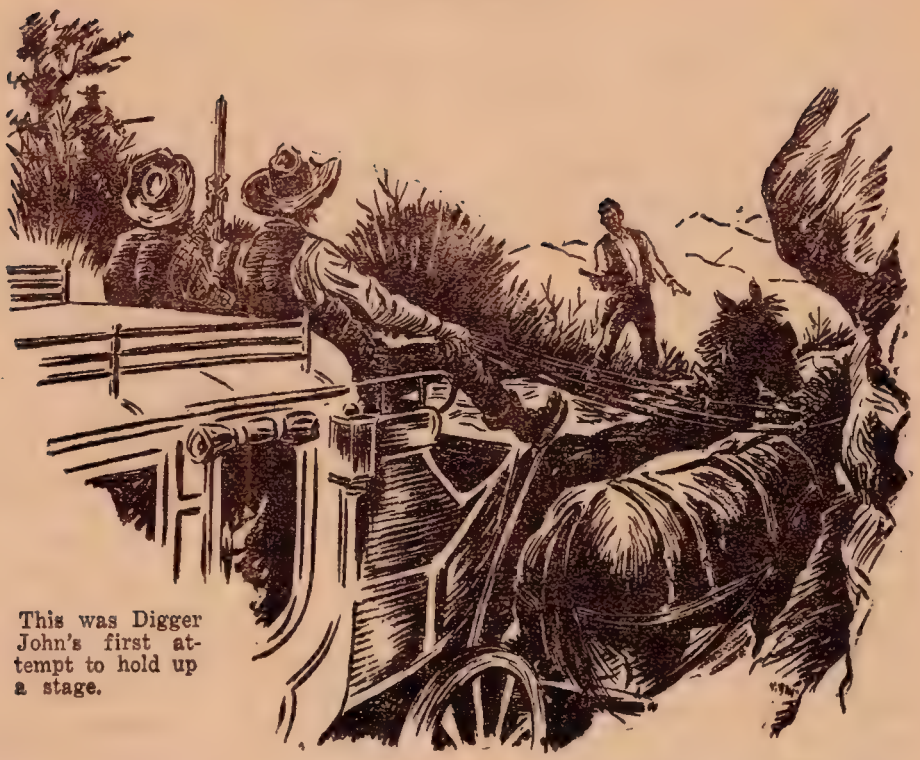
"Y'mean, leave him?"

"Yeah. Get out!"

Stringfellow hunched himself onto the edge of the desk. He measured the distance to the prone prisoner and began swinging his booted boot, laying sharp kicks against the base of Digger John's head.

Digger, letting his shaggy head roll until the stiff red whiskers scraped on the boards, feigned unconciousness. So, he thought, this was the treatment used to control prisoners. Guards to beat them down with a trace chain like they were locoed horses. Digger tried to hide his shudder. *Ten Years and A Day!* What would a man be, after ten years of Stringfellows misuse? He'd be like an animal with the brains kicked out. Better to fight back...To bring death on quickly... And maybe, if luck smiled, to take Stringfellow into hell with you. Digger gathered his muscles, forcing one last surge of hate from his brain, commanding his body to get up and kill...

"You ain't out!" The warden's voice came through, halting Digger's gathering reflexes. "You're layin' there pretendin'. How much of this stompin' c't you take?" Stringfellow paused, letting the silence gather and punctuate his



This was Digger John's first attempt to hold up a stage.

next statement. "'Cause there's a way outa all this, Digger!"

"Yeah?"

"Yeah. Get onto your feet, Mucker; I got a deal."

"A deal?" Digger rose to one knee and let his eyes focus, blinking the blindness away. He raised a hand and felt for the desk, pulling himself up. He repeated, "What deal?"

"Hog'n grizzly, ain't you, Digger? Hog for punishment an' a grizzly for fightin'. Whyn't you get them brains workin'?"

"Such as?"

"Such as you'n me diggin' up that cache. We split fifty-fifty; you go free. A fast horse, a good run, an' a week's victuals. Fella like you could get a long ways off in a week."

"Or?"

"Or? Well, there's always that trace chain—an' if'n that don't do it, we'll think of some other way!" snapped Stringfellow. "We got ten years, remember?"

"'Ceptin' I keep tellin' everybody, over an' over," growled Digger, "it wasn't me done the stage robbin'. If I never robbed the stage—how come you think I can lead you to any cache?"

"Listen," the warden answered evenly, "you was convicted. *The driver's gold watch was in your pocket.* You couldn't prove no alibi an' were a long ways from home." A sudden wave of homesickness for Gold Run swept through Digger. "Now that's the last we'll say about you bein' innocent. From now on we'll talk about just two things. About you leadin' me to the gold cache, or about how you can get dragged up here every few days. An' let me tell you, that trace chain's gonna get harder an' your head's gonna get softer every time!"

"I was sleepin' off a drunk!" objected Digger John. "Fella's what robbed that stage *planted* the watch on me." A look at Stringfellow's sneering face made him give up. Repeating the

story wouldn't influence the warden. "Can you get me out?" Digger asked.

"Of course..."

"When?"

"Tonight!" Stringfellow was eager, chattering. "They was fifty thousand in gold—soldier's payroll. You know that? Fifty thousand..."

DIGGER JOHN let him rave on. The warden really thought there was a cache. How could any one man hold up a stage and carry off fifty thousand in gold? That'd require pack animals—and plenty of help. Digger raised a hand to his cut scalp and winced. He couldn't take much more of that chain, so there wasn't much he could do but take the warden out. And out there in the mountains, something could come up. The big miner dropped his eyes; danged right there'd be something come up! The warden, tough and mean here in Hardrock Prison, would be just another man out there.

"Here's the way we'll do it," the warden continued. "There'll be a horse stashed out at Three Springs. You'll break out tonight, right after midnight. I'll get the search started south—see?"

Digger nodded and waited for the warden to continue.

"Then I'll ride over to Three Springs an' wait for you there. It'll take you two-three hours to hike it—see? It's foolproof; but you try to cross me an' get away, we'll ride you down an' kill you!"

Digger knew Stringfellow would do that. In this semi-desert, a man on foot was helpless; even the twenty miles to Three Springs would take a full three hours.

"I heard that guard," growled Digger, "'better kill me now' he said an' maybe that's what you're doin'? When I make the break I get blasted down?"

"Aw, Digger, they told me you was a gambler," chuckled the warden.

"All right, Warden," Digger agreed; "tonight." A gambler, mused Digger? It ain't gambling when the deck's stacked. But the stakes were worth it. Ten years and a day against what? Even if it was to be a bullet in the back, that beat ten years in Hardrock Prison.

"Digger, that's fine!" the warden was jubilant. "But let's make it look good." Stringfellow raised a meaty fist, swung from the floor and the blow caught his prisoner across the jaw. Digger went down.

"Blair!" Stringfellow's bellow came faintly through Digger's semi-consciousness. "Drag this varmint back to his pen!"

DURING the long hike into Three Springs, Digger brooded. The night sky was a dusty blue with winking stars. There was the smell of sage and a calm breeze cleaned heat from the rocks. Day made this a land of violence, heat, scorpions, and striking rattlesnakes; but night drew a curtain, erasing the evils. The stench of Hardrock Prison was gone but the smile of the snaggle-toothed warden, as he aimed that last vicious blow, simmered in Digger's mind.

The warden had made the escape easy and was setting the search into the foothills southward. Soon, Digger would have Stringfellow alone. He chuckled. There was no cache of golden dollars, but the day coming would bring gold—enough even to satisfy the greedy Stringfellow. For Digger had decided on a stage robbery; he was going to hold up the Cal-Nevada Stage—to relieve Calico Hawthorne of the bullion from Calumet Mines. If he had the name, he was going to earn the blame! And taking the warden into a life of crime would be the snapper on the best joke to come out of the Sierras.

The willows around Three Springs were a spot of silver on a moonlit flat. Digger halted, waiting for the sound of his footsteps to die, waiting until even the harsh gravel had stopped its

swishing roll, then he turned his ears. Horses were at the Spring.

"Stringfellow!" Digger boomed the word. "You in there?"

"Yeah." The answer was cautious.

"Then let's get on," shouted Digger, letting the words thunder across the desert.

"Not so loud!" The warden rode out, leading a saddlemare; "get up on your horse."

"Naw, not yet, Warden."

"Don't rile me, Digger." The gunbarrel flashed in the moonlight.

"Don't try'n scare me, Warden. Where's my gun? An' where's the weeks grub?"

"It's all here," the warden's face was yellow. "The grub's on the saddlepack. I'll give you the sixgun later —once we come onto the cache..."

"I'll take the Colt now—" snapped Digger—"loaded." He watched uncertainty twist the heavy face then added, "S'matter, Warden? Ain't you no gambler?"

"You cross me," began Stringfellow, "and I'll kill you..."

"You kill me, Warden, an' there'll be no gold. Right?" Digger turned brusque, reaching upward and grasping the blued gun barrel. He yanked the gun out of the stiff hand. "An' don't forget, Warden; you're out on the desert with a hog and a grizzly. Jest mind your manners! Now we've settled that," Digger was mounting, "let's get on an' round up all that gold."

They rode hard, circling Boulder Mountain, dropping down into the tamarack, then easing their tiring horses through the shale rock as the moon faded and the sky lightened in the east. Their long shadows, looping ahead of the trail, shortened as the sun rose and drove hot against their backs. They dropped lower and entered the forest. Black oak and scrub pines tangled in the buckbrush and manzanita, slowed the ride but Digger pressed ahead.

Stringfellow broke first. "We got to rest these horses." The warden was red eyed, wavering in the saddle.

"Yeah," Digger agreed. "'Nother couple of miles is all..."

"The cache?" Stringfellow alerted.

"Yeah. Limping Man Creek."

"How far off the stage road?"

"You'll see, Warden. 'Nother thing. How you figure to carry off your share? Comes might heavy—twenty five thousand in gold coin."

"Don't worry, Digger." The warden had tightened his lips and narrowed his eyes. "I'll get it out."

YEAH, YOU'LL get it out, Digger reasoned to himself. Just two horses. One for the warden and one for the gold; that left Digger John with a bullet in his back. He understood now. The assassination would come here on the pine-covered slopes. As he had hefted his weight over the prison wall, back at Hardrock, he'd felt his shoulder muscles crawl, waiting for the slug. But the warden had offered him a gambler's chance and he'd accepted.

There was only one difference. That bushwhacking slug would reach him here, or down there on Limping Man Creek; then the warden could have both the gold and a captured prisoner—a *dead* prisoner. It was simple, except for one thing. There wasn't any gold cache and there wasn't going to be any dead prisoner; better settle that quick.

Digger let his horse slow until the sweating mane of Stringfellow's horse closed the gap. Now was the time. Digger edged his animal close to a young pine, ducked under the supple branches and caught a whip thin branch against his own waist. He held it tight with a concealed hand. "Warden?" Digger shouted.

"What...?" Stringfellow started, reaching for the holstered gun.

"This!" Digger slipped sideways. The branch sang. The sharp needles whipped into Stringfellow's face, driving the rider backward until one fat hand braced on the horse's rump.

Digger was off and had Stringfellow's bootheel cradled, avoiding the flailing kicks and lifting the leg. He gave it an extra hoist that threw the warden over into a spiked stand of manzanita. But the warden was recovering, scrambling to the right. Digger dove. He felt his hands grasp the gun muzzle and knew Stringfellow's trigger finger was tensing. He knew that in another second the slug would blast out.

Deftly, Digger jambed his forked hand down, caught the descending hammer and felt the sharp point drill into his flesh. The Colt's chamber revolved under his hand as the warden desperately snapped back the hammer, but it was his last conscious move. Digger planted a knee against the warden's throat, drew back his left fist and hammered it into the open mouth. Then, dropping his aim, he pounded the second blow against Stringfellow's jaw. The warden went limp.

Digger dragged the warden from under the bush, hoisted him over the saddle and tied him there. He hurried both horses out of the foliage. Minutes later he reached the stage road.

It was the right place. The ruts sharpened into a looping turn to bypass a barn sized boulder. The stage driver, old Calico Hawthorne, would be slowed as he rounded that boulder. He'd be concentrating on his getting the team straightened, keeping the wheels from slipping against the granite. Then Calico'd look up and there'd be two bandits—Digger John, a convicted criminal, and another man. Warden Stringfellow of Hardrock Prison. There'd be no killing; the bullion box would be hoisted out and the stage sent on its way.

The story would spread. Digger slapped his hat against his dusty knee, feeling the hot sun spray over his mass of sweating black hair. From Marysville to Genoa, from the depths of the American River to the Alfalfa fields of Frenchman's Crossing, men would know that Warden Stringfellow and Digger John had robbed the Cal-Nevada Stage. Just leave that to Calico Hawthorne! The old stage driver would be keening like a hungry coyote, spreading the news. Well, the warden wanted gold, enough to spring a prisoner over the walls. Digger was about to see that Stringfellow got his gold.

Only one small doubt intruded. Calico carried a Navy Colt as long as a man's forearm and the old man had a temper fit for a rattlesnake. One mistake, Digger knew, and he'd be facing the blazing muzzle—dodging slugs that Calico would be throwing with deadly accuracy. Digger shrugged; that chance he'd have to take.

THE MINUTES floated by as Digger fought with the sagging form of the bulky warden. He braced him, kneeling, with a decayed stump serving as prop. He tied the unconscious man firmly, leaving the head and shoulders above the stump. He drew the limp hands across the top and propped the empty Colt in his right hand. Then he stood back and studied his companion. The sun rippled shadows of the foliage masked the rope, everything looked fine. A crouched bandit, leveling a Colt and backing up Digger John as he marched out to snatch the Wells-Fargo box. Stringfellow's eyes were closed, but Digger could do nothing about that. He just hoped that Stringfellow would stay out and that old Calico wouldn't be too excited to recognize Stringfellow.

It was time. The sounds of horses,

dulled by the crunch of the stage's rims gritting on the granite, echoed from the far side of the boulder. Digger stepped into the road, holding his Colt at waist level.

The horses appeared, ears flicked inquisitively. Horses ready to rear. The stage driver's taut arms braced the reins, his booted heel already pressed deep into the brake.

"Stop them horses, Calico!" Digger shouted, raising the gun. He paused, startled. The driver wasn't Calico; the driver was a hardeyed man under the scanty brim of a derby hat!

A red-shirted horseman reined a pinto horse around the halted stage. For long seconds the men glared stupidly at each other. The driver, raising his eyes and taking in the crouched figure behind the stump, clung tightly to the reins. But the horseman hesitated only for a second, then drew.

Digger watched the pearl-handled gun come up, saw the man face broadside. He felt the explosion, heard the slug like an angry bee, sing across the flat.

Digger triggered a shot at red shirt. Even as the Colt kicked upward, he was throwing another slug at the driver, now fighting to haul the rifle from the boot. From the corner of his eye, Digger saw the rider fall. Digger, now sick with anger at himself, tried to halt the fighting.

"Hold it!" he trained his gun again on the driver. But the man was standing, shouting. The rifle muzzled lowered and Digger fired again; the rifle bullet cut through his hat, dropping it back over his shoulders with the chin string pulling against his jaw.

The driver was toppling, his derby falling slowly. Digger stood, horrified, as the man fell to sprawl half-standing against the boulder. The rifle, released by dead hands, sagged and clattered down the rock.

Silence filled the road. A vacuum, centered around the stunned Digger John. There was a roaring in his ears; he swallowed. The roaring halted. The sound of puffing horses and the creak of the stage wheels brought Digger back to awareness. He had killed two men. A stage driver and the mounted gun guard. But, he reasoned weakly, in self defense. He had tried to halt them. Then Red Shirt had drawn and fired first. Derby hat came in then with a rifle. What could he do? Digger wailed the question mentally. The only thing he could've done was fire back, to protect himself.

But they were in the right, defending the stage against a pair of holdup men. They were paid to fight off bandits. Who'd ever believe that Digger had planned it differently—planned it as a plot to repay Stringfellow for the prison beatings? Digger turned and glared at the limp warden. How long would the fool stay unconscious? Surely he hadn't hit him that hard? A queer fear rose in Digger John's throat, burning there like liquid coal. Was Stringfellow dead, too? Had he killed three men? One day out of prison and a three-time murderer?

DIGGER stumbled to the tied man and felt the face. It was hot, and bubbles of sweat broke down the large nose. Digger exhaled and loosed the warden's bonds. At least Stringfellow was alive.

Digger John padded back to the stage. The strong box, bolted under the seat, was battered. The lock, blackened with powder burns, had resisted several slugs. He rolled over the driver. Knotted around his neck was a black bandana. Digger held it up. Two eye holes glared emptily from the fabric. A mask! With something bordering relief, Digger noticed then that the gun guard had a similar neckerchief. So that was why Calico hadn't been on the seat! Somewhere back on the trail he had been held up by these two corpses. Calico might be dying or

dead. These holdup men, unable to open the Wells-Fargo box, had driven the stage away. Fixing to hide in some dead-end where they could get at the loot.

Searching the guard, Digger extracted a turnip-sized watch. Calico's. A picture of Calico, wounded or dead, lying out in the deadly heat of the road flashed through Digger's mind. There was only one thing to do, backtrack the stage. If he found Calico's corpse he could ride in and escape. Stringfellow was still out and would never be able to pick up his trail. But, what if Calico were alive? Wounded but alive? Digger shrugged. He knew he'd have to be taken into a doctor if this was the case. That would mean—Digger shuddered. The least it would mean, if he escaped a hanging, would be to survive ten years of Hardrock Prison.

Stepping back to the unconscious warden, Digger fingered the Colt then pointed its warm muzzle. No. He couldn't kill the man. But maybe... Digger rifled through Stringfellow's vest and came up with a gold watch. With a grim smile, Digger poked Calico's turnip into the warden's watch pocket. The load of worry lightened. Digger John mounted, hooked the reins of the dead man's pinto and rode down the road.

Calico Hawthorne was alive. A cursing, whiskered man, holding a wad of shirttail against a gaping chest wound and slapping at the blue bottle flies. He was on his feet, staggering with a determined march that showed he intended walking as long as his strength permitted.

"An' where'd *you* come from?" Calico snapped. "Broke out of Hardrock, eh?"

"Yeah. Get up on the pinto."

"So you was in with them, Digger?" Calico stared angrily at the horse.

"No, I wasn't with them; get onto the horse an' I'll get you into Twitchton."

"They come up from behind, Digger, one on each side of the stage. A derby hatted fella stuck a rifle against my chest an' not sayin' a word, pulled the trigger. They couldn't open the box, drove off..."

"All right, Calico." Digger watched Calico sway. "Tell me later." Dismounting, he hoisted the wasted body onto the pinto. Then with a reluctance that burned, headed the animals toward Twitchton.

HOURS LATER, Digger led the pinto down the steep road. A mile ahead in a cup of pines, Twitchton sprawled in the sunset calm. Digger could run now, could slap Calico's horse on into town, then could silently disappear. But he was numb with the futility of it all. He had one chance. *If the warden lived up to his hopes.* Grimly he moved on, leading the pinto down into the graveled street.

Men silently drifted out of the saloons, pacing the horses until Digger reined up under a faded sign. Raymond Merrit, M.D. Several men lifted Calico out of the saddle and gently carried him through the doorway up the narrow stairs.

"Is they an officer in town?" Digger hefted his Colt, caressing the muzzle.

"No." A heavy man, pressing a flowered cummerbund smoothly over a pot belly, stepped cautiously forward. "But I'm the mayor. Name's Barstow; you're the man escaped from Hardrock last night?"

Digger nodded and proffered the Colt, feeling it slip from his hand with a finality that deadened.

"What happened to Calico?" Mayor Barstow asked.

"He was held up, 'bout two miles east of that boulder on Limping Man Creek." Digger dully explained about the two holdup men and of their

deaths. He omitted only Stringfellow's name. With a shrug he finished. "What could I do but bring Calico in?"

"'Most anyone else," the mayor grunted, "would've rode on. That way you'd a been long gone. Who'd ever know *you* killed them bandits? They're searchin' for you, way south of here."

"Yeah?"

"Yeah!" snapped the mayor. "An' till they come to pick you up, you're free to enjoy the comforts of Twitchton. We ain't lockin' no man up for what you done. Course we'll expect you to stay..." the mayor grinned suggestively. "To stay till we contact Warden Stringfellow, so's he can pick you up..."

Men in the crowd chuckled and a citizen shouted. "He kin exercise my horse!"

"I got myself a months supply of grub," the mayor added, "that's got to be delivered to a cabin just within the city limits."

"Thanks," Digger grinned. "But I'll just wait for the warden; of course, in the biggest saloon."

The night passed. Digger held a firm stand at the bend in the mahogany of the *Trail Saloon*. Men gathered, urging Digger to leave but he stubbornly refused. As his stomach was warmed by the fragrant whiskey, he had reversed his philosophy. No longer did he want to 'earn the blame to fit the name.' He'd been falsely convicted of a stage holdup and been sentenced to ten years and a day. Somehow, he felt now that he'd never have to serve that sentence. If only the Warden remained in character!

And the warden arrived at noon of the following day. Prison guards, their blue uniforms dusty, grim faces hardened by fatigue, rode in behind Warden Stringfellow. Stringfellow shouted orders, the guards placed themselves in the recesses of the falsefronted buildings, settled tautly with rifles poking toward the half doors of the *Trail Saloon*.

Gun in hand, the warden stepped forward. He halted at the batwings. "Digger John, I call on you to surrender!" Without pause, he added. "Come out or we'll blast you out!"

DIGGER appeared in the doorway. behind him crowded a group of solemn citizens. Mayor Barstow crowded under Digger's arm and stepped close to the warden.

"Don't get rough, Warden. Digger John's not runnin'."

"Don't jaw at me, Mister!" The warden tried to elbow the mayor aside. "We been huntin' this escaped prisoner for two nights and two days. We been as far south as Cut Throat Ridge —when we got your message. We rode all night."

"You been where?" the mayor asked.

"South to Cut Throat Ridge." The warden paused. "We come's soon as we..."

"An' you was all together?" Digger moved out, his tone sounding jocular. "Been together all the time?"

"I got lost for a time," snapped the warden, "but made the contact again last night. We heard about you bringing in the wounded stage driver." The warden grinned around. "Very commendable—but you're goin' back."

"Why, I thought you was with me?" Digger ignored the warden's speech. "We held up the Cal-Nevada Stage, didn't we? You let me out of Hardrock so's I could lead you to the cache which you figured held fifty thousand in coin. How could you be south to Cut Throat Ridge?"

"What's all this nonsense?"

"No nonsense, warden," Mayor Barstow interjected. "Was you with Digger John since he escaped Hardrock?"

"No! Of course not! Now get outa the way; we're taking him back; or killin' him right here. I'll order my

men to fire if there's any more delay. I'll give you ten seconds to disperse!"

"All right, Warden," the mayor said gently, "give us our ten seconds."

Angrily, the warden jerked the watch from his vest and began the count. "One second, two seconds, three sec..." He halted, staring in fear at the watch.

"S'matter, Warden?" Digger asked.

"Why this isn't my watch!" blurted the warden.

"Nope, it's Calico Hawthorne's watch," retorted Digger. "Took off him by a derby-hatted holdup man. In turn, I killed the holdup men, stuffed the watch in your pocket whilst you was out. Now what you gonna do, Warden?"

"Kill you!" snarled the trapped man but he was too late. The mayor tripped the warden and a dozen men pinned him down.

Back in the saloon, Mayor Barstow poured Digger John a drink. "There won't be no more trouble for you, Digger. We know now that you never helt up that first stage coach. The fellas what kilt that driver, mighta been the same men you killed at Limping Man Creek. They found you sleepin' off a drunk along the trial an' musta stuffed the driver's watch into your pocket, eh? The jury was lookin' for a way out an' hung it on you. D'you figure it that way, Digger?"

"Yeah. Told 'em so at the trial, but they give me ten years an' a day in Hardrock Prison."

"You're in my custody, Digger." Mayor Barstow raised his glass. "We sent our state senator to see the governor, to ask for a full pardon."

"Yeah?"

"Yeah. Ain't no doubt about that pardon—know why?" The mayor was smug.

"Why?"

"'Cause the governor's name is Hawthorne!" grinned the mayor. "He's a full brother to Calico Hawthorne!"

Digger smiled, feeling his spirit lift with a rush. He'd cracked those sour adobe prison walls. He'd avenged himself on Warden Stringfellow. "I'll sure be glad to see Gold Run again." He took a sip of his drink and his smile broadened. "Yes sir, it'll sure look beautiful to me, Gold Run." The smile erupted into a mounting chuckle.

"What'sa matter, Digger, What's so funny?" The mayor was smiling in sympathy.

"I was just thinkin'," Digger chortled. "Even old fat'n round, belligerent'n bald, Dredger Dan is gonna look plumb beautiful to me!"

★

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The JOAQUIN MURIETA HOAX

by HAROLD GLUCK

ACROSS the plains rides a magnificent horse carrying the most wanted man in the territory. The distance is narrowing between the pursuers and their prey. There are only four bullets left in the revolver of our hero-villain. He stops and waits for the Rangers to approach. He counts five of them. Now they are within accurate fire of his gun. They pour deadly fire at him and his horse but miss. He takes careful and deliberate aim and fires. Five riderless horses will no longer carry their owners on their back. A terrible situation has arisen for those who will relate this tale in the future. How to account for that extra bullet?

So in one version of the folklore, he

will have to kill two men with one bullet. In another version there will be only four pursuers. And in a third version, his gun will have five bullets. But hearers and readers will thrill to the imaginary sound of the hoofbeats as the pursuit takes place. For, fundamental in all of us is the desire for adventure and thrills. We of the armchair variety of human beings get a kick out of the Robin Hood legend in any of its various forms. We hate to admit the sad sad truth, but somehow we would like to be the "outlaw" rather than the men who represent the law and are closing in on our hero-villain. So that makes folklore, and also our human mind, do a bit of rationalizing.

The "outlaw" became one through no fault of his own! He was forced into this terrible situation because of conditions beyond his control. Or to be real dramatic, the forces of law were being used by evil men for their own purposes. So though he is an "outlaw" and hated by many people, he is in reality a very fine human being. If he robs the rich, then he spares, and assists the poor. Tales will be told of how many a time a poor widow found a purse on her doorsteps. Now and then a wagon train was saved from terrible destruction at the hand of the redskins through the intervention of our hero-villain.

But what shall his end be? We might dream about him overthrowing the evil forces that have usurped the law. But alas, along the path, he has killed many people; so that means he must die. However this will not please some people. So in one version of the story, they will say he really lives under another name.

As the years pass, our hero-villain lives in the printed word created by a variety of writers. Some openly steal from a pirated version of the story; some use the basic information to create a novel about this fabulous man. He may even end up in the movies, on the television screen, and on a weekly radio program designed for listeners from 9 to 99.

MY FIRST meeting with Joaquin Murieta was as a youngster. I am not certain whether I met him in a long paper book or a regular book. But the net result was that I borrowed my dad's empty cartridge belt and fought it out with my pursuers-underneath the protection of a large bed. I guess most of us have in one form or another either heard of, or read, the adventures and life of Joaquin Murieta. Perhaps you read "The Dream Ends in Fury", which was a novel by Samuel Anthony Peeples based on Joaquin Murieta. Later it was reprinted as a pocketbook under the title "Outlaw Vengeance." As the back cover blurb reads: *"Outlaw Vengeance" is based on the exciting exploits of Joaquin Murieta, a ruthless desperado in the raw life of frontier California. Murieta was an honest man driven to vicious brutality by other men's lust for gold. He had seen his brother lynched his wife murdered, his fortune stolen He lived thereafter a life of cruel vengeance and became the most colorfu outlaw in American History.*

As for the double "r" in his name there is a spanish edition that was brought out in Mexico under the title of "Vida y Hazanas de Joaquin Murrieta." If your memory goes back to the movies of 1936, Warner Baxter played in the role of Joaquin. The movie people paid good cash for the rights to a book called "The Robin Hood of El Dorado" by that able western craftsman, Walter Noble Burns.

You can trace a variety of the Joaquin Murieta stories back through the ages including one in the Beadle Dime Library. Of course, with the "lifting" of material from one version to another, strange things did happen. Especially when the English tale was told

in Spanish, reread, and then retranslated back into English.

Who was the original Joaquin Murieta? The answer is a delightful western bombshell. True, though it may be, it shall have little or no effect upon the outpourings of more Joaquin Murieta stories. For the strange truth is that Joaquin Murieta simply didn't exist! The entire stuff is one big fiction—a hoax in Western American History. That doesn't mean that people deliberately lied and falsified facts. What it does signify is that the "facts" upon which many of the tales were based —just were figments of a man's imagination.

IT IS NECESSARY that we first meet a Cherokee Indian called Yellow Bird, but better known as John Rollin Ridge. Yellow Bird came from a family that had known wealth and ease; his grandfather was Major Ridge, the Cherokee leader. He lived on his Georgia land in style, even sent his son, John Ridge, to England to get a good sound education. When the Cherokee youth returned, he married a white girl, and lived on the estate. Yellow Bird was their child and born in 1827.

Then came the trouble between the whites and the redskins. To state it briefly, the Indians had the lands the whites wanted. A sad tragic melody played again and again that stained the land of our West with the blood of both people. The Cherokee split into two groups. One wanted to resist the taking of their lands. The other felt that resistance was impossible, and were willing to accept the offer of the Federal government to migrate to the Indian Territory.

The group lead by Major Ridge accepted what they felt was the inevitable and migrated; the remaining group hated them for this decision. Violence later broke out. Yellow Bird's father and his grandfather were killed by hothead braves. Somewhere along the line, the young Indian killed a man when he was in his late teens. He tried to raise funds to defend himself. He finally headed for California in 1850 and made that land his home.

He tried several things and finally became a journalist. He wrote verses, sketches, and letters. Added to his good imagination was the ability to analyze what was taking place in California.

The Spanish had that bit of well-publicized land. Then it became part of Mexico, when that country revolted against the mother land. And now the American flag was flying over the land. What about the people? The Indians didn't count, and neither did those of Spanish blood; what counted was force and the ability to use it. The newcomers to the mines were Mexicans and also people from Chile and Peru. And it would surprise you to learn how numerous were the people from China who tried to pan gold.

The net result was a "Foreign Miners' Tax Law" which was designed to make it almost impossible for any but native or natural born citizens of the United States to mine gold. It was bias based on greed and gold. People from all over the world were also coming to California by ship and by overland routes. The European was turned into an "American" and lined up against the Latin America.

The element of bitterness was ready to break. The Americans were the "conquerors"; a type of life based upon the great ranchos was breaking up. Now all you needed was some outlaw who dared to challenge the gringo. From the American point of view he was just an outlaw; but from the Latin point of view he could easily become a Patriot!

Outlaws there were plenty, and many of them were Mexicans. They went after cattle, horses, lone travelers, held up stores and saloons, and the miners who had gold. Not much was known about these people who were

making life difficult for the conquerors. A variety of reports did filter in, and it seemed somehow that the top boy in the Western hold up gangs was Joaquin. It even seems there were at least five of these Joaquins—called Carrillo, Valenzuela, Bottileras, Murieta and Ocomorena. And as the name Joaquin passed from lip to lip, there came the demand for him: "Dead or Alive." It was even proposed that the state should offer five thousand dollars for Joaquin in either condition.

However, Covarrubias of the Committee on Military Affairs used his common sense. How could you legally offer a reward for a man dead or alive, when he hadn't been convicted of any crime? Furthermore, since nothing was really known about "Joaquin", there was the chance and temptation to produce any Mexican and try to collect the money.

NOW INTO the scene comes a real person, Harry Love, from Texas. The fellow could ride, shoot, and wasn't afraid of anything. He's the boy who later gets into a variety of fiction concerning Joaquin. The facts are that he was authorized to raise a company of Rangers, not to exceed twenty men; length of service was for three months. Objective to get the robbers commanded by the five Joaquins. Meanwhile, Governor Bigler of California gets into the story; on his own responsibility, he offered a reward of one thousand dollars for any "Joaquin" captured or killed.

So Captain Love and his Rangers go out and search the hills and valleys. They ride; they rest; they eat; then they ride again, rest again, and eat some more. But they can't even find one of the five "Joaquins". And then it happens. Just picture the dramatic scene. A group of Mexicans are on the ground; there is a fire burning. The horses are some distance away.

Questions are asked by the Rangers. A man, who mentioned he was the leader of the group, was resentful. When the shooting stopped, this leader was dead. One person had to be chased, and put up a tough fight before he was killed. His name was Manuel Garcia, also known as "Three Fingered Jack." He had quite an unpleasant reputation as a killer and robber.

A lot of other things happened. But the net result was that the rangers returned with the hand of Garcia and the head of the leader. The rangers got their reward and wages; a littler later, a contented legislature voted the sum of five thousand dollars as an extra bonus to Captain Love and his rangers.

These are the facts and you can't get a Joaquin Murieta out of them. But people started talking, and what they said wasn't a bit complimentary to Captain Love and his Rangers. In fact, one of the newspapers claimed the attacked party consisted of people who were out looking for mustangs; meanwhile the exhibits of the preserved head and hand thrilled and sickened onlookers.

Ridge has paper and pen. His fertile imagination is ready to go to work. At this time the letters of a gal called Shirley are appearing. Actually she was Louise Clappe, the wife of Dr. Fayette Clappe. These well written-letters end up in Ewer's *The Pioneer: or California Monthly Magazine.* They were recently reprinted back in 1949, and worth the reading because she talks about a young Spaniard who received a lashing at the hands of American miners at Rich Bar. He swears an oath to murder every American he would meet. Just kill this Spaniard's girl friend or wife, and you can turn him into Joaquin Murieta!

THE "LIFE and Adventures of Joaquin Murieta" are now handed to the California public. And now we dip

into that book to take a look at our hero-villain. First we hear about him in the Golden State is in the spring of 1850 when he is engaged in the honest occupation of a miner in the Stanislaus placers. Joaquin was then eighteen years of age, a little over the medium height, slenderly but gracefully built, and active as a young tiger. His complexion was neither very dark or very light. He had large black eyes and a well formed mouth. From his well-shaped head hung his black glossy hair. With him was his heart's flower, the beautiful gal from Sonora.

Then the villains come upon the scene. A band of lawless men visit Joaquin and tell him to leave his claim as they will permit no Mexican to work in that region. He objects. They beat him up, tie him hand and foot, then ravish his mistress before his eyes. This is the first injury he had ever received at the hands of the Americans whom he had hitherto respected.

But our hero wants peace. So he and his mistress go to a fertile valley. You see him cultivating his farm. Again a band of unprincipled Americans pay him a visit and order him to leave. Our hero and his girl now go to Murphy's Diggings in Calaveras County. He tries mining but gives it up. Then he devotes his time to dealing monte. He does well and feels happy. Alas, Cruel Fate again hands him a tough blow.

Joaquin had gone a short distance from Murphy's Diggings to see a half-brother; he returned upon a horse which his brother had lent him. The animal proved to be stolen and Joaquin suddenly found himself surrounded by a furious mob and charged with the crime of theft. The men listened to no explanation. They bound him to a tree and applied the lash. Then they went to the house of his half-brother and hanged the man without the benefit of judge or jury.

At this point the character of Joaquin changes. He declares to a friend that henceforth he would live for revenge, and that his path should be marked with blood.

Then the terrible payments in death begin! An American is found dead in the vicinity of Murphy's Diggings and had been cut to pieces. He was recognized at once as a member of the mob that whipped Joaquin. Panic spreads as those who travel away from the camp are shot. And who are the murdered men? Naturally, those who whipped Murieta.

But can he stop? The iron has entered too deeply in his soul for him to stop here. He has contracted a hatred for the whole American race and is determined to shed their blood whereever an opportunity occurs.

In 1851 it was realized that an organized gang was ranging the country, but it was not as yet ascertained who was the leader. Riders with purses were skillfully noosed with the lasso, dragged from their saddles and murdered. Horses are stolen from the ranches. Once the gang is here—and then it is there. And Joaquin has added Manuel Garcia, better known as "Three-Fingered Jack" to his band. This fellow is a monster, enough to make even the bravest armed men tremble at the mention of his name. He has thrown knives at the bodies of his victims; cut out their tongues; punched out their eyes; and cut gashes into their bodies. Why was he tolerated by Joaquin? Because, when it was necessary for the young chief to commit some peculiarly horrible and coldblooded murder, then he let "Three-Fingered Jack" do the dirty work.

Reyes Feliz, a youth of about sixteen also joins up. He has read about the chivalrous robbers of Spain and Mexico. Anyway, his beautiful sister is the mistress of Joaquin. He is brave, impulsive, and generous.

CLAUDIO, age thirty-five is cautious, cunning, and a schemer; and also brave. His disposition was re-

vengeful and like a rattlesnake he gave no warning before he struck. Now we get another "Joaquin"; this one is Joaquin Valenzuela. For many years he acted as a bandit in Mexico under Padre Jurata. He can handle the expeditions because of his skill and experience. And there is also Pedro Gonzalez who is a skillful spy and expert horse thief. There were many more, ranging in number not less than fifty.

Joaquin and his girl friend spend time in different localities. He is ostensibly engaged in gambling, employed as a vaquero or packer. Then one summer night he becomes involved in a row at a fandango. He is arrested and fined twelve dollars. The deputy sheriff does not know the true identity of the man; out comes a knife, plunged into the heart, and Joaquin has killed another!

Robbery and murders increase. Joaquin and his band are in the mountains. In the spring of 1852 they drive a large band of stolen horses into the province of Sonora. Then they return and extablish headquarters at Arroyo Cantoova. Of course, his girl friend is a bit worried; when will he give it all up? He tells her that soon he will retire with her into a peaceful portion of Sonora. Build a wonderful home and live happily together. She believes him.

Joaquin breaks up his band into groups. They are sent out to steal horses and mules. Reyes Feliz and Pedro Gonzalez are married and their women are part of the band. These gals dress in male clothing and are well armed. But relaxation is needed, so Joaquin and his own party head for Mokelumne Hill. Seems he has learned how to disguise himself efficiently. And one day while gambling, the dramatic scene takes place.

Four Americans are talking. One, armed with a revolver passes a remark. "I would just like once in my life to come across Joaquin and I would kill him as quick as I would a snake."

Our daring bandit jumps on the monte table in view of the entire gambling joint and shouts, "I am Joaquin! If there is any shooting to do, I am in!"

Needless to say he makes a dash for his horse. The animal is very fast-footed and outdistances the pursuers. Then he goes to his headquarters. Joaquin holds up a young American, Allen Ruddle, who was driving a wagon loaded with groceries. Joaquin explains he doesn't want to kill him, only borrow his money. Allen goes for his gun. Now the fine nature of Joaquin breaks through the hard shell. "Come, don't be foolish. I have no wish to kill you, and let us have no fight."

Allen makes a second attempt and is killed but Joaquin feels bad about this particular job of murder. Meanwhile, Relentless Justice is on the trail. Captain Harry Love, at his own expense, has gotten up a small party to trail California's most famous, of infamous, bandit. And he almost gets them at the rancho of San Luis Gonzagos.

But Joaquin and his party get careless. They are captured by the Tejon indians and fall into the hands of Chief Sapatarra. Thus the robbers are in turn robbed. Everything is taken from them right down to the bare skin. However they meet up with Mountain Jim, one of their confederates, and soon are re-equipped and ready for action and trouble.

And now one of the gang, Gonzalez, departs from this earth. He had been drinking in a small roadside place and is captured by Captain Harry Love. Juan, who was with Gonzalez, escaped and a rescue party is formed. But just as they almost saved Gonzalez, Captain Love kills him, and in turn escapes.

MORE PEOPLE are killed by the bandits, and then they add General Bean to their list. Seems the General had been giving trouble to Claudio and his band. A spy sees him on his

horse and soon Joaquin and "Three-Fingered Jack" lay in ambush. It is the latter who does the dirty work.

Riding alone one evening, Joaquin meets an old friend, Joe Lake. He informs him that, "I am unknown in this vicinity and no one will suspect my presence, if you do not tell that you have seen me. My former good friend, I would rather do anything in the world than kill you, but if you betray me, I will certainly do it."

Lake promises, but warns his fellow citizens about the danger. The next day, Joaquin rides into the little town of Ornetas. He knows Lake has lied to him, points his revolver at his friend who is now an ex-friend and a corpse.

And then Reyes Feliz is hanged. He is in a fandango house in Los Angeles when he is suddenly arrested and covered with irons. He is charged with being a party to the assassination of General Bean. You get a real operatic touch at this point. Carmelita, who was the beloved of Reyes Feliz, wanders alone in the woods, heartbroken. She is found dead on a barren rock; the Mexicans bury her by the side of her lover.

A few days later, Joaquin hears more bad news. He is informed that a well-armed party of Armercicans are planning to surprise him at his retreat. As a result, the hunted turn hunters. A terrific battle takes place and Claudio joins the list of the dearly departed. More bad news when it is learned that Mountain Jim was hanged in San Diego.

But a little later, Joaquin and his gang hold up a group of Frenchmen, Germans, and Americans and relieve them of gold dust. Half of the group object and are shot down in their tracks. But there is still a tiny spark of decency left in Joaquin; he holds up a ferry man, and the fellow has only a little cash.

"I won't take it," says Joaquin with a flush of pride. "You are a poor man and you never injured me. Put us over the river and I will pay you for your trouble." Here is the Robin Hood touch. And more of it with his daring spirit. A sign reads: *"Five Thousand Dollars Reward for Joaquin, dead or alive."*

A young horseman rides up and reads the sign. He seems to have his pencil handy for he adds something to it. Curious people go up to the sign and are startled by what they see: *"I will give* 10,000. *Joaquin."*

He even turns pirate. On a schooner bound for San Francisco are two miners with heavy bags of gold. Joaquin and three of his men get into a skiff and board the schooner. A terrible fight takes place in which Joaquin loses two of his men, but gets the sum of $20,000. He heads for his rendezvous and when he arrives his eyes feast upon a thousand fine horses which his boys have been collecting.

NEW MEN constantly come into the band to replace those hung or shot. Then one morning, Joaquin tells his real plans. He intends to arm about two thousand men. He will kill the Americans "wholesale," burn their ranchos, take their property, then head for the safety of the mountains of Sonora. With this he will bow out of the bandit business, for his honor and the wrongs of his people will be avenged.

One of the Americans who isn't afraid of this bandit leader, is Jim Boyce. However, poor Jim and his party, after a tough fight, are the losers in money and horses. But now comes a touch worthy of the best westerns in the land of Television. Luis Vulvia is arrested on a charge of murder and robbery. Luis claims he is an honest working man. Into the court walks a young man superbly dressed and adorned with a splendid gold chain and watch.

"Your Honor," begins this man,

"my name is Samuel Harrington. I am a merchant and packer in the town of San Jose. Your prisoner is none other than my packer, and consequently cannot be connected with any robbing or thieving band around here. He has been with me four years and no man ever sustained a better character."

The young man hands the judges letters to establish his identity. And he walks out of the court with Luis. Who is the young man? No need to really ask that, for you know he must be Joaquin.

Meanwhile, more men are looking for Joaquin and more fights are taking place. We spare the tenderhearted the details of butchery committed by "Three-Fingered Jack." But the end is near, for Captain Love and his Rangers are on the trail. They surprise a group and hit the jackpot. They say a successful Western movie must have the "chase" in it. Indians after the wagons; or cowboys after the rustlers; or soldiers after the holdup men. Neither Joaquin nor "Three-Fingered Jack" bite the dust without a struggle. In fact, when Joaquin's horse is shot, he tries to run on foot but when he is finished, he bravely manages to comment: "Don't shoot any more. The work is done."

What happens to the girl friend of Joaquin? Last heard from she was in Sonora working in the home of her aged parents.

And so ends the Saga of one, Joaquin Murieta. Or, so ends the Hoax of Joaquin Murieta. Or does it really end? People will continue to believe in this fellow as something real, of blood, body and shooting guns.

There are many reasons for this state of affairs. The "experts" have a stake in the issue. It is one thing to admit you bet on the wrong fellow, but something else to admit he never existed. And in a battle between facts and emotions, the emotions will probably win. How can we deprive the beautiful state of California of this Joaquin Murieta? And what about the bandit? Perhaps when all the fuss future fiction writers who need a good about Davy Crockett has died out, the commercial enterprises will see the gold that can be gained in a variety of "Joaquin Murieta" items. From his gun to his cloak and from his dagger to his boots.

★

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The Crows, by tradition, were friendly with the whites. But when you said that, it paid to keep your powder dry. There was a difference between friendship in the abstract, and wiping out an isolated trapper or homesteader when the opportunity offered.

A TIME TO LIVE

by ARCHIE JOSCELYN

IT WAS a sight to make a man sick — sick in his innards, sick in mind. There were ashes where the Pettibone cabin had stood, the twisted skeletons of household articles tormented by flame. There were no bodies, but it would be a brave man who'd say for sure if that was good.

Jim Haskins and Powell—Long John to the plew hunters who ranged from the Blue to the Milk—had come upon the cabin the fall before. Aiming to stop, first for a drink from the gourd by the door, then at most to tarry overnight, they had lingered three long-short days before tearing themselves away.

Long days, with winter already closing down and snow apt to choke the high mountains around Lost Trail to the South. Short days, swift-speeding as the River of No Return which lay there to the South, when looking into blue eyes; eyes which held witchery and laughter, looking out at them from under heads of hair pale-gold as summer sun.

It had been surprising, finding such women in this remote Western valley, girls with the graces and the gaiety of Tennessee or the Old Dominion beyant. Eliza Ann's smile had made Long John forget his hurry to reach the headwaters of the Salmon. Mary Lou had shown a dimpled cheek beneath a roughishly demure glance, and Jim Haskins had loped his last free mile.

The Pettibones, father, son and daughters, had come out from Tennessee, driving a covered wagon all the way to the Bitterroot. Ma had sickened at the river, adding sorrow to the journey; otherwise the luck of fools and tenderfeet had been with them.

During the spring and summer they had built the cabin, the logs laid solid. Old Ancil and Young Ancil had plowed the ground and scattered seed, and by the time the trappers came, pumpkins had lolled yellow in autumn sun, with corn cured on the stalks and shining red as waiting lips when you peeled back the husks. It all went to show what the land would grow.

After three days the boys had torn themselves away, promising to return, the invitation in deep blue eyes and voices which lost their lilt to the tune of sadness. . . .The winter had been overlong, for all the good trapping, and the spring break-up long in coming. Once the snows had loosed their grip, there had been no talk of working on West to reach the fort at Walla Walla. The country of the Snake stood on end, the tipped gorges bottomless, shutting out the sun. It was reasonable to head back across the

Rockies, on to Fort Benton. Especially with the Pettibone cabin on the way.

Toiling toward the sky, floundering through the still deep snows of Lost Trail was a chore, but after that they'd dropped down into near-summer, following the Bitterroot as it grew from a gushing spring to a frothing torrent. It pleased them, part way down the valley, to find Major Owen, busy with the beginnings of a gristmill and the fair start of a fort, which he claimed he didn't need. The Selish, camped about, were grave and hospitable, placidly friendly as cud-chewing cows. The Black Robes went among them, and the white man's God was good.

The major was desirous that they stay awhile. Ordinarily, after seven lonely months, they'd have lingered to enjoy his hospitality. Instead, they wasted an hour, then pushed on. They could reach the Pettibone cabin by sunset.

Somehow that made it worse, the unsuspecting peace which dwelt at Owen's Fort, only a short half-day on up the valley. The major had been so sure that all within his domain was serene.

THE ASHES were cold, past the last wisps of smoke, but not much more. To mountain men, heartsick as they looked, there was sign enough.

"'T wan't the Selish," Jim Haskins sighed. "Reckon the major's right about them. They've taken the White Man's Manitou and are peaceful. Whoever come in here, didn't go so far's to stir them."

Long John's fingers gripped white about the barrel of his Betsey. That was the curse of a good imagination, to picture Eliza Ann a captive; better almost to have found her among the ruins. There was no target for his gun, no relief for the anguish building in his heart.

"I was scared about this place," he confessed. "Same as you. But they was so sure there wan't no danger—"

He let it go at that. Words couldn't vent agony, nohow.

They circled back among the pines to camp, hopeful the marauders would return, knowing they would not. The new day brought a drift of rain edging up the valley, blanketing the snow-capped peaks rising to the west, but that was all. In that grayness the heart was gone out of them, the hope which had endured through the blackest days of winter. What good was a fine catch of beaver, if there were no girls with laughing eyes for whom to buy presents?

Nonetheless, they went on. Life is made up of going on. Wariness replaced rollicking eagerness. The invaders of the valley had turned back, prudently short of a clash with the Selish. There was the risk of encountering them, long before Benton could be reached. The risk lent a hopeful flavor to the journey.

The sun had swept up the fog when they came where the three rivers joined; the turbulent Blackfoot had joined the Clark's Fork, and into this spilled the Bitterroot. The valleys widened, and the land had an empty, peaceful look. Farther along, the hills brooded, the river dark against the hill.

"Hell Gate," Jim Haskins said. "We'd best have a look."

This was bloody ground. Here the tribes had warred, long before the white man; Lewis and Clark had been the first, better than a third of a century before. The valley pinched together, making an apt place for ambush.

They hid their horses in deep brush beside the creek called Rattlesnake, cached their fur, and proceeded on foot. Prudently they kept deep among the trees, which a thoughtful nature had provided in abundance.

IT WAS AS they'd suspected; a war party was lurking here, hiding and ready to pounce, to ambush an enemy in the old tradition. That much was easy to see, but some was puzzling.

"They're Crows," Powell pronounced. "Nary doubt."

"Yeah," Jim Haskins aceded, and scratched dubious ear. There were half a hundred Crow warriors lying in wait for some enemy whom they plainly expected to come along through the narrows, to walk into their trap.

"Two things I'd admire to know," Haskins went on. "Who is it they're waitin' for? And was it them others that mebby raided up the Bitterroot, burning that cabin? Or did these Crows wipe out the Pettibones?"

The Crows, by tradition, were friendly with the whites. But when you'd said that, it paid to keep your powder dry. There was a difference between friendship in the abstract, and wiping out an isolated trapper or homesteader when the opportunity offered.

Because of what had happened to the Pettibones, they had to be on the right side. Also, in a fight such as impended, one side or the other might prove to be allies. It paid to pick the winning side.

"We'll do some more looking," Jim Haskins decided, and led the way, silent as the shadow of a hawk, drifting overhead.

"They're a dumb set, these Crows," Powell pronounced disgustedly, as the shadows began to take on stature. Their scouting had been revealing. Not far from the mouth of the river which bore their name, a strong party of Blackfeet were idling away the day. A dozen or fifteen cavorted openly in the sun; back among the trees another hundred dabbed fresh paint on faces already horribly streaked.

"The Crows have seen that handful of Blackfeet and figured just what the Blackfeet want 'em to think," Powell went on. "Being a small party, they're scared of Hell Gate, and so are waitin' till dark to try and sneak through. So half a hundred Crows aim to pounce on 'em when they come along, for a nice scalpin' party."

"Yeah. Those few Blackfeet are to ride, innocent-like, into a trap. Whereat the Crows'll come swarmin' out to give 'em a surprise party. Not knowin' that the other hundred Blackfeet will then pounce on 'em like a grizzly on a woodchuck."

This promised a new twist to the ancient game, and it showed that the Blackfeet, at least, had a wily warchief. They had only to wait, and the Crows would be wiped out at sunset. That might be poetic justice, for it was likely that the Crows had burned the cabin of the Pettibones.

On the other hand, the Crows were sometime friends; the Blackfeet were openly and implacably hostile to the whites, and with such a victory over ancient foes to stir their blood, they'd go on boiling through the country in an unhealthy frenzy. To work up the Clark's Fork, cross the Rockies, then follow the Missouri to Fort Benton, would be no trifling business, if the region swarmed with Blackfeet.

LONG JOHN looked to Jim Haskins for a decision. In the matter of a fight, there was scant choice between them. But Haskins was a book-read man, long on thinking.

"There's a word for it in Holy Writ," Haskins said slowly. "It allows there's a time for doing things; a time to be born, and a time to die. It strikes me this is a time for pickin' our side, if we hone to go on wearin' our hair. So we'd best help the Crows. Show them what they're up against, and they may be grateful. The Blackfeet wouldn't."

"The Crows'll need help," Powell conceded. "Plenty. But I'm far from minded if they deserve it."

"That itches me somewhat," Jim

Haskins agreed. "And if we knew for sure, it'd be different. But we better confab with 'em."

Knowing where everyone lurked, it wasn't hard to come up on the waiting Crows. The news they brought, of not a dozen, but six score of Blackfeet waiting, aiming to go the Crows one better in the matter of ambushment and surprise, came close to causing panic. The odds were no longer as much to the liking of the Crows as they had assumed. Fifty Crows to a dozen Blackfeet was about right, which was likely the reason why the Blackfeet had for so long had the Injun sign on them.

"There is a way to turn their trick against them," Haskins told the chiefs, once the situation was understood. "And for half a hundred Crows to beat three times as many Blackfeet will be a glorious feat."

On that, there was no room for argument; the matter of such an accomplishment was more moot.

"The Crows are the friends of the white men," Jim Haskins added, and beady eyes met his own without guile, heads nodded agreement. "Here is what we can do."

It was an added twist to the same scheme. Back a mile or so from Hell Gate reared a mountain with the look of an elephant. There the river could be forded, and it was possible to circle south and east, follow up a long coulee, top a minor divide, and return down another valley, thus circling the mountain. That would put them on the far side of Hell Gate gap, behind the Blackfeet.

"A handful will stay here and wait for the Blackfeet," Haskins pointed out. "When their few men come riding, you attack, and when *they* come in force, you will run—the same as the handful of Blackfeet plan on doing. All the main force of Blackfeet will string out in pursuit. Then your main warriors, who have gotten behind them, will strike at their rear. That will take them by surprise, plumb at a disadvantage."

There was risk, but with it was a sufficient element of luck to appeal to the Crows. They fell in with the plan, and the remainder of the afternoon was spent in preparation. Powell, waiting with the handful of Crows who would serve as bait for the trap, fondled Old Betsey and shook his head.

"It misgives me," he confessed. "If anything goes wrong, we're in the middle. And if it goes right, I hate to help the Crows, considerin'."

"There's another passage in Holy Writ. Sufficient unto the day is the evil thereof," Jim Haskins reminded. "Let's take one thing at a time. Looks as though the Blackfeet were gettin' ready for the festiv'ties."

Sure enough, the handful who had waited out the light were beginning to move, a thin file of men and horses, with the apparent hope of getting through the pass just as dark came down. They made half the distance, and then a wild hullabaloo broke the silence, and arrows and bullets mingled with the warwhoop.

THE WAITING Crows swarmed out to the attack, which took courage, knowing what was waiting for them. At the signal, the main mass of the Blackfeet took to the hunt, too eager to notice, in the half-light, how skimpy was the number of Crows. Indeed, in the gathering night, it was hard to be sure who was chasing whom, until the Blackfeet awoke belatedly to the discovery that the Crows were on their own heels, making like demons. That was not according to plan—not the Blackfoot plan. It proved as disconcerting as Jim Haskins had hoped.

His gun and Powell's, thundering from covert, picked off a chief as he sought to rally his discomfited forces, heavy toll at a critical moment. Panic

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SHOWDOWN AT LA CUEVA

by RAY G. ELLIS

Suddenly, Meredith Harper knew why he couldn't fight for his holdings, why he mustn't take the chance of being killed — even though it meant accepting ruin and turning tail . . .

MEREDITH HARPER picked up the bucket and started toward the tiny log cabin that housed Lorry, his wife of six months, and himself. This was their third day on the ranch they'd bought from old man Scotten, so he wasn't surprised to see the three riders top the nearby ridge and ride on toward the cabin.

He went on to the cabin. When he was inside he said, "Looks like our neighbors are comin' to pay us a visit."

Lorry went to the window and looked out. Then she went to the stove and checked the coffee pot. "Maybe I should make some fresh coffee," she said.

"Might as well see if they want to stay first," Meredith told her. He smiled. "Coffee costs money and we haven't got much of that left."

The riders reined in close to the front door and a swirl of dust came through the opening. Meredith knew Lorry had spent most of the morning cleaning out the cabin and he frowned at the sight of the dust.

"That's all right, Meredith," Lorry told him when she saw his frown. "Go on out and greet them."

He went out and found three hard-faced strangers staring down at him; they were trouble if he had ever seen it before. But he said, "Light down. The wife'll have some coffee ready directly. My name's Meredith Harper."

A heavy set man in the center spoke first, his voice rasping and unfriendly. "I know what your name is," he said. "That's why I'm here. You're on my land."

Meredith frowned. He said, "Then I reckon you're Sam Begert. I heard you ran cattle on most of the range hereabouts. Only you made one mistake; I bought this homestead off Scotten so I reckon that makes it mine."

Sam Begert looked at the two men that sided him. All three smiled mirthlessly. Begert leaned forward, crossing his arms across the horn of his saddle.

"Well, now," Begert began. "You're a sharp one. I reckon you want to bargain a bit. How much did you pay that old skinflint Scotten?"

"Five hundred dollars."

Again Begert looked around to his men and they smiled. "You got stung worse'n I thought," Begert went on. "I'll give you two-fifty for it."

Meredith shook his head, growing angry. "This is stupid," he said. "The place isn't for sale. Haven't you got enough range as it is? The way I heard it, you graze most of the county. What do you want with this neckerchief spread."

"Maybe I'd better explain it to you," Begert said, straightening up. The drawl dropped from his voice and the words chopped out at Meredith. "This place you claim to own happens to stand right smack between my winter and summer range. Without I go a long way around, this here meadow is the only trail through."

"Old Scotten lived for years and you never ran him off."

"We had an arrangement. I paid the old codger ten cents a head to pass through; that was the way he made his living."

"Ten cents a head," Meredith exclaimed. "How could any man live off that?"

Begert grinned and the drawl came back into his voice. "He used to butcher one of my steers once in a while and I never complained. It didn't take much for him to live."

"Well, I can't live that way and I'm not going to try."

"That's what I figgered; that's why I didn't make you the same offer. But I'm feelin' generous today. You say you paid five hundred for the place—I'll give you five hundred for it."

Nothin' doin', Begert," Meredith said shortly. "I've bought cattle and got them spread out all over my range. It's not for sale."

"Now listen here, Harper," Begert growled. "I got one bunch already up on my summer range and there's another ready to go through."

"You said there was another way; maybe you'd better take it. I can't afford to lose the grass your herd would trample and eat on the way through. Then, too, I don't want my cows followin' up after yours."

"That other way is long and dry, hard on cattle. I tell you I'm bringin' 'em through here."

Meredith's temper grew short. "Well, I say you aren't. If I have to get the sheriff to stop you, I'll do that, too."

"In just five days I'm comin' through, Harper. Five days. There'll be five hundred waitin' for you in at the bank in La Cueva. You can pick it up as you leave—after you've deeded this place over to me."

Begert motioned to the other men and reined around. The two grinned down at Meredith before they turned to follow the rancher.

MEREDITH looked after the three riders until they disappeared behind the hill over which they had come. Then he turned back inside. Lorry looked at him with a white face. "What does it mean?" she asked.

He went to her and put his hand on her arm. "It's nothing to get worried about."

"But he threatened to run us off. I'm scared, Meredith. I saw the way those men looked at you when they rode off." She shivered and he put his arm around her.

"I've seen those bullies before. If you stand up to them they wilt. Anyway, if he causes us any trouble I'll get the sheriff out here."

"Let's go talk to the sheriff now, Meredith. Before trouble starts."

"Now, Lorry. You're gettin' all upset about nothing. I can't run to the law every time somebody complains about something I've done."

"But, Meredith—"

"No!" he told her suddenly, sharply.

She turned away from him, hurt.

"I'm sorry, Lorry," he apologized. "I didn't mean that."

She didn't answer but went to the drainboard and poured water into a dishpan. Meredith sighed and said, "All right. We'll go into town the first thing tomorrow. It's too late to go today."

She left the sink and came back to him, smiling gently. She kissed him and said, "Thank you, darling."

He put his arms around her and drew her close. "How could I ever refuse you anything?" he said.

She kissed him again, then said, "Don' try. Think how much easier it is that way."

The next morning Meredith closed the door of the cabin and put a stick in the hasp. The buckboard stood waiting and he climbed onto the seat beside Lorry. "I feel silly doing this," he said.

"Well, I don't," she told him. "Besides I have some things I want to do in town. We might as well go now as wait until it's too late."

The wagon jolted noisily over the faint trail, heading southeast toward town. The air was sharp and sparkling and trouble seemed far away. Even Lorry relaxed and began to hum to herself.

It was a two hour drive to La Cueva and Meredith began to think of all the things that needed doing back at the ranch. The farther he drove, the more foolish seemed his errand. But he remembered Lorry's fear of the day before and decided that he would have to go through with it for her sake.

THE TOWN lay sunburned and weatherbeaten before them a little later. Dust spurted from under the wheels of the buckboard as they entered the false-fronted town. Lorry looked eagerly about her for she was not used to living so alone as she had the past few days.

Meredith drew up in front of the mercantile and said, "I'll see if I can find Sheriff Dawson, Lorry. You get done whatever it is you want to do. I want to get back out to the ranch as soon as possible."

He helped his wife down from the seat and she said before they parted, "You tell him just what happened. We're taxpayers now and have a right to some protection."

Meredith nodded and grinned at her.

"Yes, ma'm" he told her obediently. "Anything else, ma'm."

"Oh, get along."

Lorry waited until Meredith had disappeared into the sheriff's office before she went next door to the mercantile and climbed the long flight of stairs to the second floor. Lettered on the door were the words, "Dr. Melville Simpson." She went inside.

Meredith hesitated a moment before he stepped into the Sheriff Dawson's office hoping that somehow he could get out of the thing before him. Then, with a shrug he opened the door and stepped into the office and jail.

Dawson was a large man, heavy featured with a perpetual scowl on his face. He looked up from a stack of papers on his desk.

"Well?" he said gruffly.

Meredith drew a deep breath. "I'm Meredith Harper," he said; "I bought the old Scotten homestead."

Dawson grunted and turned back to the papers on his desk. Meredith flushed but went on. "I want to register a complaint. Sam Begert threatened to run me off my place." He felt like a small boy as he said the words and Dawson's attitude didn't help any.

"So?" Dawson said. "What did he *do?*"

"I just told you."

"You mean he just *threatened* you?" Dawson asked.

When Meredith nodded, Dawson said, "Somebody's always threatening somebody else. If I was to try and run down everybody that did that, I wouldn't have time for anything else. Anyway, what did you expect, buying right in the middle of Begert's range?"

Dawson's attitude was maddening. Meredith said shortly, "Then you won't do anything about it?"

Dawson swung around in his chair, his eyes boring into Meredith. "I'd advise you to take the five hundred that

Begert left at the bank and skin out while you're alive."

"So you know about that."

Dawson nodded, barely moving his head. "Old man Scotten put one over on you, sonny; you might as well admit it and take your loss. I won't be responsible if you stay out there."

Anger leaped in Meredith. He leaned toward Dawson and said in a half-shout, "What do you mean, you won't be responsible?"

"Just what I said. I told you to sell out and leave."

"I won't leave, Dawson," Meredith told him. "If anything happens to me or my wife, you'll have to act against Begert whether you like it or not."

Dawson shoved out of his chair and moved close to Meredith. "Don't tell me what I have to do, Harper," he said. "Now get out before I throw you in jail for insulting an officer of the law."

Anger left Meredith in a rush. He hadn't expected any more than he had gotten. He turned and left the sheriff's office without a word, pulling the door shut behind him.

AS HE walked down the sidewalk toward the buckboard his gaze swept across the street. Several horses stood hipshot at the rail in front of the saloon. Each bore the big Circle B brand that Begert used. An old man sat tilted back in a chair against the front of the saloon. Two others, much younger, stood beside him.

Meredith recognized Scotten in the chair. One of the men beside the old man had accompanied Begert the day before. The other man Meredith had never seen before. Scotten, looking Meredith's way, said something and the two men laughed. Meredith drew his eyes from the men and went on to the buckboard.

He stood beside the wagon, waiting for his wife. A few minutes later she came out of the mercantile. A package of yard goods was under her arm.

"Is that all you wanted to come to town for?" Meredith said irritably. "You know we can't afford to spend money like that."

Lorry pouted and said, "Grouchy." Then, "What did the sheriff say?"

"Just what I knew he would. I felt like a damn fool running in there like that."

"Well, what did he say?"

"He told me Begert's threat didn't mean a thing."

Lorry smiled and said, "All right then. We don't have to worry."

Meredith helped Lorry into the wagon and climbed up after her. He put the vehicle in motion without a word. Lorry had misunderstood his meaning and he decided to let it stay that way. He felt sneaky, almost like he had lied to her, but salved his conscience with the thought that he was doing it for her peace of mind.

From the corner of his eye Meredith watched his wife as he drove. She was humming and a secret smile played at her lips. He frowned, wondering how she could be so apparently carefree now when only yesterday she had been near panic in her fright.

The road drifted northwest, cutting between high hills. Beyond was flat country, sloping gently toward the Rincon Range. As the buckboard emerged from between the hills, three riders broke from the protection of huge boulders on each side of the road.

Lorry stopped her humming and stared wide-eyed at the men that rode toward them with guns drawn. Meredith wore no guns but there was a rifle behind the seat and he started to reach for it.

"Meredith, what are they going to do?" Lorry cried.

In answer the men began firing into the air and Meredith had to forget about the rifle. He had his hands full with the two horse team that pulled the wagon.

They came on shouting and firing until Meredith plainly read the Circle B

brand on the flanks of the horses. The team was trying to bolt and he sawed at the reins, trying to hold them. One of the riders came in close and lashed out with the end of his lass rope, slashing the near horse across the rump. Meredith lost control of them and they bolted.

The riders followed after them, shouting and firing into the air until they tired of their sport. They swung off, then, and rode toward Circle B.

The wagon jolted wildly, threatening to throw them off before Meredith could gain control. Gradually the tiring horses began to slow. Meredith worked the reins until he brought the buckboard to a stop.

Pale and trembling Lorry fell weakly against him. He put his arms about her and said, "It's all right now, Lorry. We're safe now."

"Oh, Meredith, why? Why did they do that?" Lorry gasped.

Meredith grunted and said, "That's Begert's way of reminding us that he's king pin of this range."

She looked wide-eyed into her husband's face. "Maybe—we ought to sell out," she said.

"And admit that he has us buffaloed. Not on your life."

"But you can't fight him single-handed, Meredith. We—we might have been killed back there."

"I won't turn tail, Lorry. That's final."

HE PUT the wagon into motion again. Lorry drew away from him and stared down the road, her mouth set firmly. They rode in silence until they reached the tiny cabin. Lorry went inside immediately and Meredith turned the tired horses out. He went back into the cabin.

"What are you doing?" Lorry asked a few minutes later.

"I'm looking for something in this trunk," Meredith said shortly, not looking at his wife. Then he found what he was looking for and straightened.

Lorry moved across the room and took his arm as she looked at the gun-belt that dangled in his hand. "Meredith, you're not—"

"I'm going to have a talk with Begert, Lorry, and you're not going to stop me." He pulled his arm roughly from her grasp and turned away from her.

Lorry looked at his stiff back. She said, "What do you think you'll accomplish with a gun in your hand. Don't you think he'll have one, too?"

"We'll be even then," Meredith said over his shoulder. He began to buckle the belt about his waist.

"And what happens when he kills you?" she said hotly. "What do I do? Put on black for a few days and then forget about you?"

He turned, hitching the belt to a comfortable position. "He won't kill me," Meredith said firmly. "He—"

"And if you kill him, they'll hang you. What then? Don't you care what happens to me, Meredith? Or has this ranch become so important to you that you can think of nothing else?"

Lorry was near tears, her face drawn. Meredith's own features relaxed and he said quietly, "Of course, I care what happens to you. But don't you see? If I run from Begert, I'm finished for good, a man isn't the same when he starts running."

He moved close to her and reached out to take her in his arms. She moved back quickly and her next words came harsh and bitter. "Men and their pride. You kill and get killed rather than bend to your pride."

She moved across the room to the drainboard. She was facing the wall when she spoke next and Meredith had to strain to catch her words. "I won't be here when you get back, Meredith—if you get back."

"Love, honor and obey," Meredith said bitterly.

Lorry whirled about and cried at him, "You said those words, too, Meredith Harper. Do you think it's any

different for me to leave than it is for you to go and get yourself killed? Meredith, please, please, sell out now."

He went to the door of the cabin. "I won't be gone long, Lorry," he told her and went through the door.

His riding horse was in a small pole corral some distance from the cabin. Merdith jerked his saddle from an old sawhorse in the leanto and carried it to the corral.

When he was nearly finished with saddling, he saw that Lorry had come from the cabin and was walking toward the corral. He set his jaw and finished with his work.

Lorry was waiting at the gate when he led the bay horse from the corral. "Meredith—"

"It's no use, Lorry," he told her shortly.

As he started to mount she took his arm and looked into his face. "There's three of us to think about, Meredith," she said softly.

He pulled his foot from the stirrup and stared down at her.

"I saw Doctor Simpson in town," she told him.

Meredith frowned. "Are you sure? You're not just—"

"—saying it to keep you here," she finished for him. "I've never lied to you, Meredith; I thought you had a right to know before you left."

SHE TURNED from him and started back toward the cabin. For a minute he stared after her then he turned and led the bay back into the corral. When he had closed the gate he headed back to the cabin.

"I'm not going," he told her as soon as he entered the door.

She came to him with tears in her eyes. "It'll work out, I know it will."

He held her, saying nothing, looking about the room. The cabin, tiny as it was had already come to mean home to him. The plans he'd made receded from his mind. He said aloud, "After all, a man had a responsibility toward his child."

"If it's a boy, we'll name it Meredith," Lorry said.

Suddenly Meredith remembered and he said anxiously, "The wagon ride. That didn't—"

"No." When she saw the anger come into his eyes, she said, "They didn't know, darling. Forget about it; it's all over now."

He pulled away from her and went to the door. "It's all over," he repeated.

Later in the day, he told her, "I'll tell Begert when he comes through on his way to summer pasture. Maybe I can sell the cows, too; he ought to give me something for them."

"I'd like to go back to Denver, Meredith," Lorry said. "Oh, just until the baby's born and old enough to travel. We'll find another place and make a new start."

Meredith nodded, staring at the table. A new start. But where would they find another place like this one. It was big enough to make them a living, and yet it was a place that he could afford to buy. He saw himself working for wages, struggling to save enough for that 'place' that would never quite materialize.

"Begert will be through in a couple of days," Meredith said.

Lorry saw the sadness on her husband's face and her newfound happiness left her.

The next two days flew. Meredith kept busy about the ranch, even to starting the dam at the spring he'd found. Lorry watched her husband as he went about his work silently. When he came in at suppertime, he no longer told her all that he had done that day.

He answered her questions in monosyllables, although he was not short with her. He'll forget, she told herself repeatedly. He's got to forget. Lots of men failed and then made a new start. Or was that the same thing?

They heard the cattle as from a great distance. There were no indi-

vidual sounds, only a low pulsating moan, uneasy. Meredith looked across the breakfast table at Lorry and said, "They'll be here before long."

Lorry watched him as he rose from the table and went to the door. Meredith stood there, staring out at nothing, listening to the cattle bemoan the death of his ranch.

Three riders came s i l h o u e t t e d against the skyline then plunged down the hill toward the cabin. Meredith heard Lorry's sharp intake of breath and turned. She was right behind him. "Go on inside, Lorry," he told her. "I'll handle this."

He turned back and Begert and the same two men he'd had with him before, reined in in front of the doorway.

"You're still here," Begert growled.

"That's right."

"We're bringin' the herd through. You got any objections?'

MEREDITH ran his right hand around the belt at his waist. He'd worn no gun on purpose. He was past need for that.

"I'm selling out, Begert," he said, forcing the words out. "I...we're goin' back to Denver."

Begert looked around at the other two men. They exhanged smiles and Begert said, "It took a little prodding but I see you got sense in your head."

Meredith was unable to look at the men, to watch the looks of triumph that played over their faces. He dropped his eyes and said, "I got some cattle I want to sell, too."

Again Begert looked at the other two men. When he turned back, he said, "I'll give you ten dollars a head."

"Ten dollars," Meredith shouted. "That—"

"Take it or leave it, Harper," Begert grunted.

Meredith heard Lorry moving in the house behind him. Then her voice came firmly, "We'll leave it, Mr. Begert; *and* the five hundred for the land, too."

Meredith turned and found his wife was holding a rifle on the rancher. Meredith said, "Lorry, put that gun down. It's too late."

Lorry never took her eyes from Begert but she said to Meredith, "It's never too late to stand up for what's right. I thought I could go through with it—you selling the ranch—but now I see I was wrong."

She moved into the sunlight, meeting Begert's hard stare. She went on talking, "I almost killed my husband because of you, Mr. Begert. Oh, not with a gun. My way was worse; I was going to kill him by killing his self respect. You see, I was the one who was driving him off this range, not you. Meredith was never scared of you."

"Look, lady," Begert said, "them cattle of mine have got to get to summer pasture. Your husband said he would sell out."

"There's another way around," Lorry told him. "You said so yourself. You—"

"Look out, Lorry," Meredith interrupted with a shout.

Meredith saw Begert's right hand moving slowly toward the pistol at his hip. Before the rancher got a hold of the gun butt, Meredith threw himself at the horse Begert was riding. He slapped the mount's nose sharply and it reared up with a snort.

Meredith then grabbed the rifle from Lorry and gave her a shove toward the cabin. Begert had his gun out by this time. He swung it across the horse's neck and leveled it at Meredith.

The sharp crack of the rifle beat the flat roar of the revolver by a split second. Begert howled in pain, grabbing at his side and fighting to stay in the saddle. He dropped the pistol in the dirt. Meredith swung to cover the other two men.

"Get him out of here," Meredith ordered them when they showed no signs of continuing the fight. "And take your cattle with you."

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One reckless move rising from justified anger at being cheated, and too much whiskey — and the Dalton brothers were fugitives from justice, instead of lawmen.

SONS OF DESTINY

A Story of the Dalton brothers

by C. B. POLLARD

THE DUST-CAKED trio spurred their mounts along the trail in grim silence. The noonday sun seemed to mock them with its intensive heat, sending down rays to reflect on the badges pinned to their shirt-fronts. But for the gleam of bitterness shining deep in the eyes of them all; and the thinned lips, outlined with a conspicuous rim of white, of the big, rawboned man in the lead, their hard, weather-beaten faces were void of expression. Hell-for-leather hombres, these three. Possessed with deep emotions which were never allowed to escape their inner cells. At one time, these riders who so greatly resembled one another were five. Now they were three. One had pulled stakes for the coast to study law—the other they had found just this morning face-down in the Arkansas River. He had been riddled with lead and his gun was only half out of leather. He had paid in full for his reckless, rough-riding existence, the inevitable fate of a Deputy United States Marshal.

The rawboned gent reached for the

makings and rolled a smoke with steady, disciplined hands. He was not old. He might have been young had not his gunsmoke duties left themselves so plainly stamped upon his features. That he was the leader of the group was quite apparent. Authority was written in the straightness of his broad shoulders and enforced very effectively by the well-oiled twin guns reposing against lean thighs.

His brother, who spurred up beside him in a cloud of dust and pushed back a worn stetson, was the first to speak since they had left the scene of death and violence. "How much of a start do you figure that gang's got on us, Bob?"

"Considerable, Grat," he replied, inhaling the aroma of his quirly. "But if I have to, I'll trail 'em to Hades and back. They're going to pay for what they did to Frank. Pay the *hard way*."

"Those whiskey-runners are a bunch of blood-thirsty wolves and they're gettin' set to howl. Don't forget they beat Frank to the draw!"

Bob twisted around in his saddle and grinned with significance at the speaker behind him. "Us Daltons can howl pretty loud ourselves. There's not a

man alive you're afraid of, Emmett, and you know it."

Emmett Dalton shrugged his shoulders and grinned back, without humor. "That was Frank's trouble. The Daltons always were slow as hell to learn, and I'm no different from the rest of the clan."

Grat was about to speak when the words on his lips were drowned suddenly as the ear-splitting bark of a hidden rifle shattered the mid-day quiet. The piece of lead missed its intended mark by mere inches; and Grat swore with relish when his head-gear landed in the dust of the trail, a neat hole drilled through the high crown. He reached out and clutched Bob by the shoulder, all but throwing him off-balance.

"Take to cover quick, you sons! I reckon we're following sign all right."

BOB SPUN in leather to take a hasty glance beyond. To the right of the trail, almost buried by the dense undergrowth, he could just make out a still form lying prone in the shade. Somewhere further back in the brush, Bob knew, was the dead man's confederate. Not a sound had been heard since the rifle shot a second ago; and, putting steel to his mount, trailing his brothers to the safety of the trees to the left, he did not wait for a repeat performance. In their concealment, the three men scanned the thicket across from them until their eyes ached. Emmett shifted impatiently and lowered his gun. He was in the act of showing himself when Grat put a hard hand on his arm.

"Watch it, Emmett." There was an edge to his voice that told his brother he was in no mood for opposition. "The whole damned outfit may be there. Only a fool would ambush three men and face them solo."

Emmett's gaze remained on the spot across the way. "Fool or not, Grat, I've got me a hunch that's exactly the way it is. If there were more they would have smoked us out by now."

"Could be Emmett's right, Grat. All we can do now is wait it out. If we show ourselves, even one man can pick us off one at a time."

Grat knew that Bob was right. Only, like Emmett, he was not a man who liked waiting—while at the same time, he did not believe in taking unnecessary risks. These contradictory traits in his makeup had, in the past, made Grat sweat blood; he was commencing to sweat again.

"There's one thing to be done, Bob. You and Grat cover me while I make that jasper show himself. Otherwise, we may spend the rest of our natural lives here, and me—well, I've still got myself a heap of livin' to do."

With that, Emmett turned abruptly, with a deliberate jingle of spurs for the benefit of the unseen bushwhacker, and walked into the open leading his horse. It was an act of pure nerve on his part; he hoped the gunman would take it to mean that the three of them believed him to have departed from the scene. If the bushwhacker so figured the move, Emmett thought, he just might try another shot, thinking Dalton's brothers would be close behind—close enough that he could finish all three of them with his long-range gun. On the other hand, if Emmett could force another shot from that direction, Bob and Grat would be able to ascertain the bushwacker's approximate position from the rifle's sound and spit of fire. There was no doubt in Emmett's mind as to the outcome of their expert marksmanship.

He was almost to the trail now, still walking in full view and apparently quite confident that all danger was now past. He paused as if to light a quirly—then, treacherous as the strike of a rattler, the rifle spoke again. With amazing speed, Emmett back-stepped to the shelter afforded by his horse. Across his saddle, he was quick to lo-

cate a thin trail of smoke rising from the brush and a slight tremble of a dwarf shrub as though a man might have accidentally touched it. Emmett raised his gun to fire, only to lower it again, as two other shots rang out behind him. A cry from the right—half scream, half sob—was the answer. Even in the confusion of that moment, the voice struck Emmett as being very young and very frightened.

"Uh, huh. Just as I thought. Spunky as hell, but a greenhorn. Now, how do you suppose he got mixed up in a deal like this?" Bob and Grat interrupted Emmett's thoughts as they hurried across the trail to the spot dominated by the dwarf bush and the dead man lying a few feet away.

"All right, you big son, come out of there with your hands elevated. If you can't walk—then sing out, and we'll come in and get you—after you throw that damned rifle where it can't do any more damage. Don't try anything funny, hombre, 'cause we've had just about all the excitement our systems can digest for one day. Just take it easy-like."

EMMETT heard the gruffness of Bob's tones, and surmised that his brother had reached pretty much the same conclusion as he himself—where their hidden opponent was concerned. He trailed his spurs over to stand beside Grat, who was keeping a careful eye on the thicket. His nerves were on edge and for some inexplicable reason he had to summon all of his will-power to prevent himself from diving into the undergrowth and taking a look-see at their desperate victim. For desperate he must have been to have made so foolish a stand.

"D-don't shoot! I can't walk. I'm hit in the knee—bad." Even Grat, who possessed only utter contempt for any man who would resort to the ambush method, flinched inwardly at the tone of weary resignation in the voice—a voice old beyond its years. Close upon the words, the rifle landed with a dull thud in the dirt at Emmett's feet.

Bob glanced strangely at his brothers and, gun in hand, hurried to the dense undergrowth through which he roughly forced his way to the opposite side; there to discover stretched out before him what might have been termed a "natural clearing." He hauled up short, all but stumbling over the thin figure of a man slumped in pain against the trunk of a large oak. Emmett, plowing head-on into his brother, took a look at the wounded man and saw his pony ground-hitched not far away. The animal had made no sound during the melee, evidently having been quieted by its master.

"Green," Emmett mused, "but plenty full of savvy. He'll learn quick, given the right kind of chance."

"Yeah." Grat said, having fully recovered from his brief emotional reaction. His tone was colored with fine sarcasm. "The same kind of chance *he* gave us, and the kind his side-kicks gave Frank."

Bob offered no comment. He was studying their poorly-dressed victim in absorbed contemplation. He was tall enough, but his shoulders lacked the filled-out muscular quality possessed by a man grown. His grit and obstinacy, displayed now in the face of his desperate plight as he held a blood-stained hand to his right knee, bespoke clearly to the appraiser a mature courage born and bred into one they had mistaken for a man but who, in actuality, was perhaps fifteen or sixteen at the most. His sweat-drenched hat was shoved back exposing a thatch of unruly blond hair. The tanned face underneath belonged to a youth who would one day own a man's strong, lean features. At present, it was white with shock and sprinkled freely with freckles. The mouth, however, remained firm in maturity. That was the characteristic that hit Bob dead center.

Without speaking, he went about inspecting the knee wound.

Emmett bent close to Bob and cursed deep in his throat.

"Why, he's just a kid. And that's a pretty ugly wound."

A bullet had punctured the boy's knee, causing a nasty furrow but nothing fatal; although the trio harbored secret doubts as to whether or not he might be left with a permanent limp. A refreshing drink of water from the canteen Grat held served to revive him somewhat and his blue eyes lost their dazed aspect. He tried gamely to rise.

"You stay put, kid. Tell us, what happened to your friend—*out there*."

THE GRUFF voice must have reassured him for he relaxed heavily against Emmett's supporting arm. Then he sat down in sudden weakness and gazed at the circle of faces in positive recognition.

"*The Daltons*!" he breathed. "Thought it was, so I decided not to take any more chances."

"So you tried to pick us off from cover." Grat said, and his words were still tinged with sarcasm. "That's a mighty big chance, son, for any man, and an even bigger mistake. Now, take that other gent. . ."

The boy's voice flared up—then took on a bitter edge. "What was I suppose to do, Mister?" Bob could have sworn the blue eyes were unnaturally bright with something other than rage and grief. "He was ridin' all but dead in the saddle and I tried my best to get him to a doc. I would have, too, but you three started tailin' us and I had to dodge around to hell and gone to lose you. It was too much for Jim. He was dead when he fell off his horse. Mister, *that's my brother out there*!"

"That was *our* brother back in the Arkansas River this morning. He was a mighty good marshal, son, too damned good to be done in by a band of whiskey-runners." Grat's voice was more subdued now.

The blond head jerked stiffly erect. Proud, Emmett thought, proud as lucifer.

"Call us what you will, Marshal," he said through dry, fever-cracked lips; "but I did what I had to do. Jim was my brother and he was good to me—whiskey-runner or not. As for the others—well, Mister, I hope they stretch rope. They left Jim and me without liftin' a hand. Jim needed money to make the last payment on our farm. If it hadn't been for that, he'd be alive now."

"And you, kid," Bob inquired, "how did you come to be ridin' with your brother?"

Silence reigned. The youth swallowed—hard—and searched for the right words. Emmett finished bandaging the knee and placed a thoughtful hand on Bob's arm. Of all the Daltons, Emmett alone was gifted with a clear understanding of human nature.

"Sometimes, Bob, a man rides into hell—not because *he* wants to but because he is prompted by some deep sense of loyalty, honor—or maybe just plain contrariness. This kid, now—he rode with his brother because he *had* to. Loyalty—yes, to a fault; honor, no. He was worried and scared, and he couldn't let Jim go alone—no matter the price. It takes a man to know the odds are all against him and still deal himself in the game. I think that's what this kid did."

The boy remained silent, but gratitude mixed with something akin to real liking was in the long gaze he bent upon Emmett Dalton.

Grat met Bob's eyes and shrugged his shoulders with a nonchalance he was far from feeling. "Here we go again, Bob—philosophy. Looks like we've caught ourselves a bronc we can't handle. He's a prisoner; a murder-accomplice; and he's a kid who

rode with a pack because he was scared his brother would get hurt. So what do we do, Son? Forget Frank—forget this kid who's old enough to know you can't play with fire without gettin' burned. Forget the whole rotten mess?"

Bob's response was not slow in coming. "Not on your life, Grat, but the boy here—now, that's some different."

"Different! He ambushed—"

"Mister, if I'd really been layin' in wait to *kill* you, my slug would have done more than go through your hat. Straight shootin' is one thing Jim taught me young. All I aimed to do was scare you off my tail!"

EMMETT DALTON chuckled, despite the past few nightmarish hours which to him had been an eternity. He couldn't refrain himself; it was the wonderful, pure gall of the kid.

"There's your answer, Grat," he managed to say. "It's the truth, too. Sure, we can take him back to jail or we can take him on with us. Either way, what have we accomplsihed? Not a damn thing. What we want is the head man and his ring of professional curly-wolves."

"I'll tell you what I can, Marshal, for what it's worth," the boy said. "Jim didn't allow me in on the plans. He didn't tell me much about the work or how it went on, and nothing about the schedules of the runs. He held it was safer for me not to know. I always held the stock and stayed with it until the deals were complete. Sometimes I helped to load and unload the stuff but that's all. I never saw the face of the kingpin and I don't know his name. I guess I'm not worth much to you as an informer. I can't talk—because, well, hells bells, I just don't know anything! Except one point I want you to get clear in your heads—*I didn't kill your brother and* neither did Jim; he didn't like murder. Far as I know, the bunch is ridin' raft downriver to the next town to make contact. After what happened, they sure must be almighty anxious to unload that cargo."

The words rang true as steel, even to Grat.

"It appears to me we're wastin' time standing here palaverin'!" Emmett opined. "Now, if we did what our conscience tells us, we'd put this kid on the straight and narrow, either by sending him back to that farm Jim was buying or on to a new start in another town. Me—I think he's worth the trouble." He placed a firm hand on the hip-pocket of his faded blue jeans.

"Any other folks, son?" Bob queried, gently. "A mother or dad?"

"Jim *was* my folks, Marshal, and he was plenty!" The kid was asking no measure and giving none in return.

It was Grat who finally concurred with Emmett in no uncertain terms.

"We haven't much money with us, sonny, not enough to make up for the loss of Jim or your farm. But what we have will help put you where it's safe for awhile."

BOB AND Emmett started, gazed fixedly at Grat, then at the boy who had gained his feet and was standing erect with teeth clenched against pain. Perspiration glistened in drops on his forehead. They appreciated courage when they saw it. Admiration cast their lot. Altogether they scraped up a little better than two hundred dollars.

"Look, kid," Emmett told him as he pressed the roll of greenbacks into the boy's workworn hand, "this is the best we can do. You take it and do the *best you can do*. Maybe someday you might even pin a star or a badge, like ours, to your vest-front. There's not a lot of money guaranteed, son, but it

sure has its compensations. Yes, sir!"

The boy replied neither in the affirmative or negative. He conveyed quite definitely to the three men that they were either fools or unsung heroes —which, he had not decided.

"Now, hold on a minnit, Marshal. You don't know me. Why, you haven't even asked my name. How do you know what I'll do with this dinero? How do you know, for that matter, that I've even been telling you the truth?"

Emmett's grin came off good—and wide. "I know, son, I *know*." And the kid sensed the great satisfaction this man was experiencing, for his direct, blue eyes met and clashed with those of Emmett Dalton. To the others watching, it became apparent that something warm and fine passed between their brother and the boy. Some element of understanding that would remain a part of them the rest of their natural lives.

Bob cleared his throat and the tableau disintegrated.

"Now that's settled, kid," he said, "do you think you can make it to town and the doc—alone?"

"You bet your life, I can, Marshal —the doc and the undertaker. I won't go without Jim. And about this loan, my name—"

"The loan will be paid in full—and with interest—son, when we bag that gang of killers." The corners of Emmett's mouth still smiled, but his eyes were again void of warmth or any expression. "Your pony's here. What about Jim's horse?"

"This pony belonged to Jim, Marshal; mine was shot from under me back at the river. That's how Jim got it—tryin' to get to me. We were ridin' double." The kid confessed in quiet frankness. "I'll make out."

"Sure—sure, you will, kid," Grat said. He wondered how in hades the boy had managed to dodge them at all —one mount, a critically wounded rider, and a kid doing a might tall job of evasion.

Bob led the claybank over. Without comment, Emmett lifted the kid in strong arms and placed him in leather. He looked up sideways at the kid; for gentle as the movement has been, the marshal heard a muffled groan. He felt sick at the sight of drawn, white lips, though courage flared high in the young, pain-racked eyes. Grat draped the lifeless form of Jim face-down over the blanket-covered back of his own mount and set about quickly to tying the body securely in place. Then, somehow awkwardly for so big a man, he placed the reins in the kid's free hand.

"I'll ride double with Emmett and find myself another mount further along. Who knows, I might even collect one from our whiskey-lovin' friends."

"Keep your name, young 'un, we can't tell what we don't know. Just see to it that you do that money—and the name—justice. Good word, justice. Remember it, son—*remember us!*"

Emmett grinned broadly, delivered a resounding smack on the horse's rump, and watched the strange caravan make its way through the tangled undergrowth to the main trail. Seeming to pause on the point of disappearance, the kid raised a hand in farewell. Though the brothers watching were not conscious of it, hero-worship shown in the depths of blue eyes now dulled with fatigue.

"So that's how we lost their trail. The bunch deliberately left those two behind to furnish false leads. Probably knew the kid and his brother didn't belong." Bob's voice was cold. "The more I hear about that crew, the itchier my gun-finger gets. They just naturally rile me."

"Funny," Emmett said. "I have a feelin' we'll be runnin' into that kid

again. Well, sons, let's make tracks out of here—time's awasting!"

TWO WEEKS later, the Daltons cleaned up the whiskey-runners. Grat, true to his prophecy, acquired a beautiful enduring mount from one of the renegades who would no longer be riding anywhere.

As usual, when the Dalton boys reached the end of a grueling, unpleasant assignment, they virtually disappeared from sight. The country lost track of the U. S. law-enforcing trio.

When word did come, it spread with the speed and effect of wildfire. The brothers had ridden into New Mexico as Deputy Marshals, duty-free and seeking pleasant diversion. They had thundered out—leaving in their wake a bedlam of outraged shouts and gunsmoke—fugitives from the very law they had sworn to uphold. An innocent game of poker in a smouldering, adobe casino; the slip of an ace from a tinhorn's sleeve; and the Daltons, their blood already afire with drink and unaccustomed excitement, began to howl.

Bob Dalton instinctively felt, rather than saw, the gambler's discrepancy. He pushed back his stetson and eyed Emmett who sat across the table from him. On Emmett's right sat the dealer for the house.

"I've got me a hunch, son," Bob said with a certain softness which did not deceive Emmett, "that there's a few too many cards in this deck."

Emmett could smell trouble in the making—and for once, though he possessed no reasonable explanation for it, he felt strongly inclined to turn the other cheek.

"Don't be a fool, Bob." His voice was tense. "This is no place to start trouble. *Forget it!*"

The dealer was a thin-faced individual with soft hands and pale, shifty eyes. He was sweating profusely now, perhaps from justifiable nervousness, or from his own plagued conscience. He moped his brow with a free hand.

"The marshal's right, gentlemen," he said. "Don't be hasty. I'll vouch for the honesty—"

"Honesty—hell! Empty your sleeve, Gamblin' Man—" Grat's deep bark and the quickly-palmed derringer of the dealer echoed simultaneously. Bob's arm fanned out in a wide arc, shoving Grat with rough force to one side. The bullet left a deep crimson furrow along Grat's upper arm. Emmett's chair screeched, then, toppled over backward, as he came to his feet —gun in hand.

"Drop it, Tinhorn!" he ordered; and his voice was filled with uncontrolled fury. "Drop it—or you'll never palm another gun, or cardboard, again. You hear me!"

The derringer clattered as it landed on the shiny surface of the gaming table.

Bob's blood, at this point, was pounding in reaction and his next suggestion—as he cast a significant glance at the money before them—was blurted out thoughtlessly as a result.

"Seems to me like that dinero rightfully belongs to us—doubly so, now. Use your hat, son, and let's get out of here, pronto."

GRAT SCRAPED the money into his worn headgear, and Emmett back-stepped a few feet protecting the backs of his two brothers. Even in so doing, he was well aware that they were the proverbial "steps in the wrong direction"; but his hands, as well as his principles, were securely tied in so far as danger to Bob and Grat were concerned. Only when the next unpredictable movement on the part of his brothers proved to be a definite encroachment upon the favor of Lady Luck, did he see fit to voice his objections. These came when Bob and Grat held the bystanders at gunpoint

and proceeded to collect materially from them, also. Public opinion did an immediate about-face. The ones who had commanded sympathy had now succeeded in arousing public wrath to the breaking point.

Emmett ground out an oath. He waved his gun gently before the uneasy crowd. It was both quieting and hypnotizing in effect. Emmett was sane enough to realize the lull was only momentary.

"Bob—Grat—dammit, we've got to vamoose. There's sure hell to pay now. Come on, you big sons, you can forget your badges for once. This time—you ride *without benefit of law!*"

Those words accomplished their purpose. Grat and Bob Dalton were two men transformed suddenly into action by the sting of bitter truth; in the dim light from the crude lanterns overhead, their faces registered almost childish alarm mixed with a somberness which plainly bespoke their sensibility to the ignominy of their impulsive actions.

The hard-riding trio backed shoulder-to-shoulder to the batwing doors which swung gently in and out pushed by a brisk evening breeze. The batwings parted grotesquely for a split-second as the Dalton boys, guns still drawn, melted like shadows into the black velvetness of the night. Released abruptly, the doors swung inward again with violent force. The jarring noise created served to snap the stunned bystanders into instant and furious pursuit.

In their riotous escape, the Daltons found it necessary to shoot a couple of the posse. Some of this party were good, law-abiding citizens; others were typical riff-raff hankering for human sacrifice on a scaffold. The Daltons were outriding a visious and kill-crazy lynch mob.

Thus, began the bloody reign of the Dalton boys. Gradually, the trio developed into a queer combination of genuine lawlessness—terrorizing the country with their infamous deeds which ranged from bank robbery to murder—yet, deep within their inner selves, they still maintained an actual love and respect for the way of life they had so foolishly forfeited.

TALK RAN free in the state of Arkansas, and when the shock passed men forgot the hard-riding pasts of Bob, Grat and Emmett Dalton. They forgot Frank who had died with his badge on, and remembered only that banks were looted, tellers killed. Then one day, when the gory rule of the three brothers had reached its peak, rumor circulated about that the Dalton boys had their eyes on the twin banks in Coffeeville, Kansas. Rumor can act as a powerful confederate; and in their attempt at a double holdup of Coffeeville's banks, the Dalton's rode head-on into a well-laid trap, luring with them handpicked members of their own gang. Bob and Grat were gunned down as they ran from one of the banks toward their waiting mounts. Ironically, the animals were being held just a stone's throw from the spot where Bob and Grat hit the dirt, still clutching the canvas money sacks in stiff, lifeless hands.

Emmett, wounded, blinded by pain and half-mad with anxiety for his brothers, flung his loot from him and stumbled aimlessly in the direction of their prostrate forms. He was oblivious to the gray-haired sheriff and his two deputies who had him alertly covered with their rifles. His slow progress ceased abruptly and he doubled up, falling face-down in the yellow dust of the street. His blood left its thin red trail stretched out behind him. A die-hard, Emmett Dalton, and there were those men who watched—big men with minds to match—whose genuine admiration reached out to him. Admiration, not for the mean, lawless deeds the man had committed, but for the stone-

cold courage, the unbelievable strength and determination to aid his own flesh and blood when the chips were down. There were also those, whose taste for blood never quite sated, who decided to make Emmett's death their own private business, thereby, saving the County the trouble and expense of a trial. One of these cost-conscious individuals had drawn a careful bead on the unprotected victim when a toneless voice spoke beside him.

"I wouldn't, mister, if I were you. Tryin' to shoot a helpless man puts you in a lower category than Dalton. Hand over that gun—*pronto!*"

The weapon was placed in the broad, calloused hand of a tall, broad-shouldered gent—young in years, eyes old with the knowledge and experience of the rough existence of a deputy sheriff, and curly blond hair all but bleached lifeless from constant exposure to the heat of the Kansas sun. Freckles, the deep tan of his skin could not disguise, were prominent across his well-shaped nose. He possessed the strong, lean features of a man who had a purpose in life and was dedicated to carrying out that purpose. His trigger-happy companion knew it; he relinquished the weapon a trifle sheepishly.

Then, prodded into action by the youthful deputy, the two men crossed over to where the Sheriff knelt at the side of the wounded Dalton. Emmett lay on his back, now, supported by the Sheriff's steady arm, and although sorely crippled and weak from loss of blood, the men looking on knew he would live to endure many lonely and dreary years behind prison bars.

Emmett's eyes opened and they were laden with silent agony—half physical pain, half intense grief for the brothers he would never see again. He searched desperately for a familiar face—any source of comfort—when, as though drawn by a magnet, his gaze focused on the young blond-headed lawman who stood with head bowed and lips edged in white.

THEIR EYES met and clashed as once they had in years gone by. Lost, momentarily in deep thought, the young deputy saw again the concerned faces of three men as they had bent above the helpless figure of a wounded boy; felt again the roll of greenbacks they had placed in his hand; and, above all else, those words spoken by Emmett Dalton...

"Johnny, how does a man like Emmett Dalton—or even men like his brothers—come to a past like this?" The sheriff's unexpected question rudely shattered Johnny Martin's reminiscence. "Why, in thunderation—"

Johnny's eyes were strangely bright and the sheriff, studying him closely, sensed that somewhere, somehow, the youth had crossed paths with Emmett Dalton before that day.

"SOMETIMES, Dave, a man rides into hell not because *he* wants to but because he is prompted by some deep sense of loyalty, honor—or maybe just plain cussedness." Johnny's words were almost a whisper, but they rang clear as a bell through Emmett Dalton's dulled senses. A faint grin be-

came visible at the corners of compressed lips and Johnny knew he was being heard.

"With Emmett here, now—it sure wasn't cussedness. He put too much store in the badge he threw away. Loyalty—yes. He thought the sun rose and set in Bob and Grat. Honor—no; he lost all integrity when he rode the back trail—he knew that—and I think he hated the hell out of himself, his brothers, and the life they created for themselves. But he stuck because he had to. It was Bob and Grat—and maybe even Frank. I reckon, all said, it takes a man with a lot of guts to know he's wrong and still buy chips in a losing game. I think that's what Emmett Dalton did."

Facts notwithstanding—the viciousness, the wilful taking of life as well as property—the sheriff realized there was far more in this chance meeting than appeared on the surface.

Emmett's grin widened perceptibly. The outlaw kid grown to manhood and carrying a deputy's star looked steadily at the man who had once been famous as a United States Deputy Marshal and now lay wounded as an outlaw; and the elderly sheriff stared long at the both of them. Then motioning to his other deputy nearby, the two men lifted Emmett Dalton between them. For the first time since the gunfight, Emmett spoke. His voice was weak—his courage high.

"That badge, now, son," he husked, "couldn't be carried by a better man. Thanks, kid—*for rememberin'!*"

Johnny stood where he was, in the dust of the street, and watched as the trio made its way slowly toward the Coffeeville jail.

He had not replied—because for the first time since reaching manhood, he was choked with real masculine emotion. Tears stung his eyes as he pushed his way through small groups of excited citizens to *limp* after the three men. Wisely, Sheriff Dave had given him this brief moment of solitude; and now, with a deep, ragged breath, Johnny Martin once again resumed the stance of a man dedicated to his job. A rueful smile touched at generous lips, for out of that entire throng, he alone chose to remember the Daltons as the Deputy Marshals they once were.

Funny, he thought; funny as hell, how fate could twist the lives of men!

★

Showdown at La Cueva

(*continued from page 65*)

"I'll get you Harper," Begert bellowed. "Don't think you've seen the last of me."

He reined around, still holding his side and the others followed. Meredith watched them until they disappeared over the hill. He turned back to the cabin.

"You little fool," he said to Lorry, but there was pride in his voice.

She looked at him without a smile. "He said he'd be back," she said.

Harper chuckled. "Bluff. Everytime he thinks about coming back, he'll remember that bullet in his side and somehow he'll never make it."

She came to him, searching his eyes. "I'm sorry," she said. "What you must have gone through."

"It's over now," he told her gently; "that's what matters."

He cocked his head and said, "Listen."

"I don't hear anything."

"That's what I mean, Lorry. You can't hear the cattle and that means Begert's turned back."

Her arms tightened about him for a moment, then they turned and went into the cabin.

★

A Time To Live

(continued from page 58)

turned to riot and disaster. The rising moon looked down on such a scene of carnage as the war chiefs had visualized.

There was no doubt as to the size of the victory. It was something of which the Crow, who had frequently been forced to a diet of the same inedible bird in their encounters with these wild barbarians of the North, could boast long and loud; as they unquestionably would. The way to Fort Benton would be clear and peaceful.

Examining the war chief who had bit on his bullet, Jim Haskins turned sick. At the chief's girdle were a pair of still gory trophies—hair yellow as the moon. Young Ancil and old had both been full-headed men.

"A handful of them must have snuck into the valley, made a quick raid, then got out again when they got word of the Crows," Haskins said.

"At least, we were on the right side." Powell conceded. "Should make me feel better, but it don't!"

They went among the fallen, between hope and fear, finding nothing. Following the battle, there was wild rejoicing, feasting, dancing. The white men were not forgotten. The Crows were not insensible to the fact that it was the good council of the friends which had given them victory where disaster had threatened. They were escorted to the main camp, set up the valley of the Rattlesnake. Powell's face lightened somewhat.

"One thing, they ain't got no dogs along," he sighed. "Dog never sets easy on my stummick."

There was roast elk, venison, a haunch of deer. The fires fed a red tinge to the dawn, paled as day came with a sweep. Powell rubbed his bulging middle.

"Don't feel like I could eat again for a week," he confessed. "I will say, they're treatin' us right well."

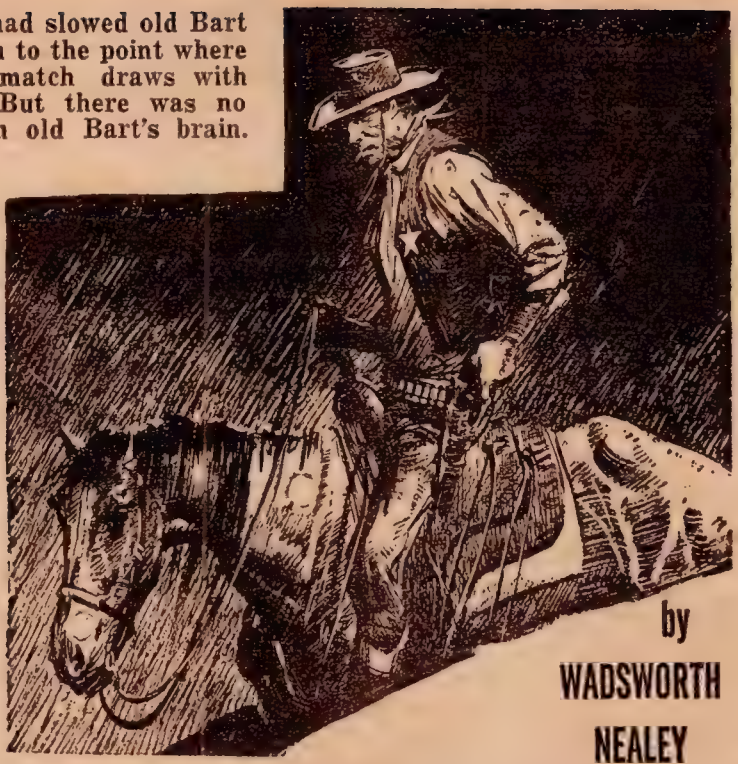
"Somebody comin'," Jim Haskins warned, and rolled to a sitting position, back against a tree. Most of the Indians, replete, were asleep. Major Owen rode into sight, with several Selish flanking him. His face lightened at sight of the trappers.

"We've been looking for you," he said anxiously. "The Pettibone girls came to the fort early yesterday morning. I suppose you've seen their house. They were away when the Indians came, and they finally made their way to the fort. When they heard about you, they were anxious that we should find you—and we've been anxious, finding a battlefield as we came along."

"Why now, it was neighborly of you to take the trouble," Haskins declared. "And there's something about joy coming in the morning, Long John. I reckon this is the day."

★

Rheumatism had slowed old Bart Coolidge down to the point where he couldn't match draws with Nails Colin. But there was no rheumatism in old Bart's brain.



THE OLD GUNFIGHTER

by WADSWORTH NEALEY

THE NEW sheriff's old hornbill revolver could not be drawn from its worn leather scabbard with a fraction of the speed of earlier years—and he had to aim and fire it with both hands, now. The weight of 69-years had slowed him physically, but mentally he could move with amazing agility—and his spirit was still brightly eager!

But getting and holding a job as a sheriff in the still wild west, was not an easy task any more. Townsmen would observe his bent, creaky, rather feeble body, forget the outstanding record that bracketed him with the likes of Wyatt Earp, and laugh him out of town on his sway-backed old mare. But the children, who got him to spinning yarns always were sorry to see Bart Coolidge go, because when he talked about using guns on behalf of the law, he grew strong and young again right before their eyes!

Bart Coolidge's history was simple enough. He had been a gunfighter's gunfighter. He had never asked for odds in all his long life—nor been given any. You might say he had forced outlaws to shoot it out with him, studied their methods of drawing a sixshooter, decided which was the faster more efficient method, and using that as the only law and the sole order, had made the most arrogant badmen behave.

But the one standing in the doorway, blocking the merciless sunlight was grinning smugly. He was a huge ugly man with an unwashed, unshaved, sun-blackened granite-like jaw, and eyes so balefully pale, they seemed

colorless. He looked as if he had spent most of his 40-odd years in the incredibly soiled jeans that wrinkled most noticeably at each hip under the weight of sheathed .45s.

Whenever this giant ran out of money for booze and women, and appeared on the Main Street of a town—even Peace Marshals avoided him. An odd thing, too, on the face of it—for all Nails Colin did, usually, was play a few games of cards before kissing the town goodbye.

But Nails Colin's poker games were played with the deck stacked in his favor by Fingers Slade. He won all the cash in the kitty—and if anyone had the stupidity to challenge him, Nails' guns roared and the challenger died like a swatted fly. Nails had a laconic gift for convincing would-be challengers, law-abiding or otherwise, that they were twice as muscleheaded, twice as slow on the draw, twice as cowardly as himself. He taught his henchmen how to live with hate, lust, cunning, scorn for human decency. His bullying voice, almost humorous now, came through the door like a hard fist.

"Bart Coolidge," it said. "My favorite lawdog. You got a job at last! I can't believe it—any more'n I can believe that order you posted in the *Red Bucket* saloon, that says badmen in general and me in particular, are forbidden to play poker there!"

"It's a good thing yuh smile when yuh talk like that," the small boy with the sheriff said, "or Bart would pull a gun on yuh!"

Bart Coolidge dragged a claw-like sun-blackened hand down the long white hairs of his drooping mustache and swung his clear, blue eyes from the outlaw to the boy. Bobby Apostoli, age nine, was the only son of the town banker—the leading citizen of Hope Springs, who had, only a month ago, pinned the tin star on Bart's vest. Bart knew he had bragged some for Bobby's benefit—because Bobby had helped get him this job, and was probably the only mortal now alive who thought Bart Coolidge was still a very great man.

ARISING from the swivel chair in sections, Bart tried to place himself between Bobby and the gunman. He was not afraid of Nails, but there was no sense in pretending he could get the drop on the brute. Nails was not the fastest gunman Bart had ever got the drop on—but Nails was fast enough, now.

"Yuh try gamblin' in th' *Red Bucket*," Bart said, "an' ah'll have t'stop yuh. The father of this lad, here—Mr. Joseph P. Apostoli—made th' rulin' an' expects meh t'enforce it. Ah suppose yuh got that room over th' Chinaman's restaurant? Ah'll be up there t'talk with yuh later. Hasta la vesta."

"Adios," little Bobby sternly said, "before Bart has t'warm yuh again!"

Nails Colin winked at Bart and told Bobby: "Why don't your hero put me behind bars, huh? I'm on some of his 'wanted' circulars."

"Gee, that's right, Bart," Bobby said. "Dad sure would like t'see Nails locked up."

"Yeh," Bart said, "an' y' Pop ain't th' only one."

"Well, there's the lockup." Nails pointed a grimy thumb beyond the littered, rolltop desk. "What're we waiting for?"

Bobby gave the sleeve of Bart's shirt a questioning tug. "Ah won't be scared if he tries t'draw with yuh, sheriff, an' yuh have t'drill 'im between th' eyes."

"Bart," Nails Colin's reptile-like stare covered Bobby Apostoli, "you owe it to the brat, here, to do something. I hear he talked his old man into hiring you."

You hear right, Bart Coolidge thought. *And Bobby's Pop will fire me if I prove to his satisfaction I ain't fit to wear my star.* A hardheaded busi-

ness man in the matter of banking and running the town's government, Mr. Joseph P. Apostoli, had none of his son's sentiment about the old sheriff. Bart Coolidge would have to preserve the peace—or hand in his badge.

Bart had been somewhat amused at the way Bobby Apostoli had copied his every mannerism—including his way of speech—but not now. He felt, suddenly, the crushing handicap of his age. He knew he was a has-been to the world, who could not get by on his past reputation against fellows like Colin. He felt some of the tension leave him as Bobby grabbed the ring of keys on the desk and went importantly out back to unlock the heavily barred door. He asked in his still strongly-masculine voice: "Why did yuh follow me into Hope Springs, Nails?"

"You won't believe it." Colin laughed, as if he thought it almost too good to believe himself. "But the news has gotten around that Banker Apostoli, for his son's sake, will give you every opportunity to prove you're a real lawdog. Haw—Apostoli must want his bank robbed so he can collect the insurance. Why you ain't been able to hold a sheriff's job for the past dozen years. I've seen you kicked out of one town after another on that old mare of yours. So I had to come here and see if you really had a steady job ."

"Yuh don't *love* me, Nails—because yuh don't know what th' word means. Yuh got another reason for comin'."

"Perhaps. I'm willing to be put behind bars, ain't I? I'm even willing to give you these." Colin's powerful hands moved with the flash and grace of a snake's head and came up with the ominous .45s, butts foremost. "I'm willing to build you up big with the kid."

"Ah don't mean t'deceive th' lad." Bart accepted the big .45s and put them in a drawer of his desk, meaning to lock it when Bobby returned with the keys. "Ah don't reckon t'be deceived by yuh, neither. An' ah expect yuh t'forget ah haven't been so successful lately."

"MY MEMORY'S too good to forget that," Nails said, bluntly. "You rode high and mighty when you was young'n quick. But now you're slow'n old—it's somebody else's turn."

"Yours, mebbe? Ah've come t'th' end of th' trail, ah reckon. Ah've been a long time comin', an' ah don't mean t'be pushed off without tryin' t'stay on."

"No? Well, each scratch on my guns stands for a dead man, but I'm trying to be nice to you—so you won't become just another notch."

"Ah'd kinda like t'die with meh boots on," Bart said.

"Maybe you will."

"Ah'm goin' t'keep y'guns until y'ready t'leave town, Nails. Jails t'good for yuh. Give yuh enough rope an' yuh'll hang yuhself."

"You're plumb crazy! Banker Apostoli is crazy for having pinned that star on you. You want me to tell the kid that? You want the kid to see you for what you really are—a broken-down crackpot, living in the past?"

"Yuh couldn't convince Bobby."

"Don't be too sure about that, old man. Kids can be awful fickle."

"So can Lady Luck," Bart said. "Which is just another way of tellin' yuh ah got rheumatiz in mah bones—but not mah brains."

"What you got here, is an old man's home for yourself." Nails' restless eyes roved around the dusty, unpainted office. "I don't blame you for not wanting to roam the desert and mountain trails again, sleeping by a campfire and pushing rabbit soup into your toothless maw. But your false confidence pains me, Grandpa. Me'n Fingers Slade and Bullwhip had rigged up a nice proposition for you. A proposition that would make you look like

[*Turn To Page* 82]

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a brave sheriff, Grandpa. And you claim the rheumatiz hasn't reached your brain!"

Bart thought of the last old sheriff who had let himself be talked into one of Nails Colin's propositions. Old Man Hines had been a frontier sheriff most of his life, too, a Peace Marshal hiring out to the highest bidder. But when Hines figured he was getting too old to shoot it out with the enemies of law and order—he joined the enemy with the idea of living longer. A deputy of Hines, then, Bart remembered how he had found his boss sitting with his back against the front door of the town bank. Hines had been shot in the stomach, and Bart could still see his face, aged and suffering before he died.

"Yeh, you an' Slade an' Bullwhip rigged it up to look real good for Old Man Hines, too, back in Dust Bowl, five years ago. He told me everythin' before he cashed in."

"Old Man Hines wasn't like you, Bart; he talked too much. About the only talking you do is to kids."

SKELETON-THIN Bart Coolidge seldom perspired, having long since been dried out by the sun and Old Man Time, but he was perspiring when Bobby returned with the heavy ring of keys. Bobby was small for his age, with sun-bleached blond hair and almost invisible brows, and his hero-worshiping blue eyes haunted Bart—even when Bobby was not hanging around asking searching questions. Bobby was the kind of boy who believed in old men, and who wanted to follow in their adventurous footsteps. He was a trusting boy who had known the security of a happy family life and a contented old cow town, which had been settled by his late grandfather back in the days when the wild plains Indians were everywhere.

"Th' cell door's stuck. Ah couldn't open it." Bobby eyed Bart closely. "Yuh sick?"

"It's hot in here," Nails explained, "that's why he's sweating."

"Bart's never bothered by the heat," Bobby defended. "Nor by gunmen!"

"Never bothered by the heat!" Nails opened his big mouth and laughed until the stink of his breath was like poison gas in the little room. "That's a good one!"

"Yuh wouldn't laugh," Bobby cried, "if, like me, y'had seen Bart shoot the wick off a candle from twenty long paces away—first shot without a miss!"

Bobby was always embarrassing Bart by bragging like this to anyone who would listen. Bobby was enchanted by the old gunfighter, as another child might be by one of the stories of Hans Christian Anderson. To him, there was nothing in the western world that could match the man-to-man companionship Bart Coolidge gave him. It was so important it made him brave enough to talk back to his own beloved parents whenever Bart's name was brought up in a derogatory manner over the supper table. As far as Bobby was concerned, Bart Coolidge was still the greatest lawman the west had ever known.

Bart thought: *Th' kid loves me.*

Bobby went out back again to resume rattling the cell door and Bart realized one hand had been gripping the butt of his gun.

"It's queer." Nails shook his head. "The last time me'n Fingers an' Bullwhip came up with a good proposition, you was a deputy. Now you're sheriff in another town. Ain't that queer? Especially since you was just a wandering sourdough all the years between."

"An' many of the years before Hines hired me, too," Bart said. "But you didn't proposition me as a deputy—an' yuh can't now ahm a sheriff."

[*Turn To Page* 84]

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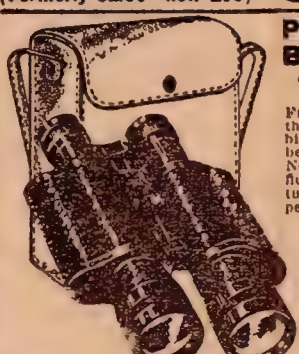

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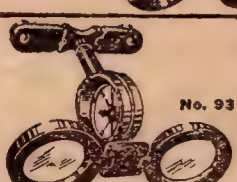

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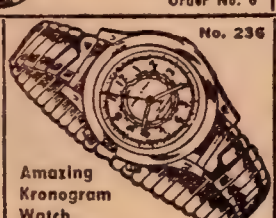

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"Why not? Hines was as old as you are now—and as smart. He listened to reason."

"Yuh can have y'guns back," Bart said, "if yuh roundup Slade an' Bullwhip an' ride out of Hope Springs."

"I can have my guns back? Haw!" Nails beat his knees with his big hands, as delighted as a horse rolling in the grass. Then the humor ran abruptly out of him. "You're a decayed friendless has-been. You need a little stake to retire on. What has being a lawdog got you? What has being honest got you? Nothing! Now you're old, broke, and alone. With a little swag to give you security, you could do as you cassed please—including spitting in John P. Apostoli's eye."

"Ah don't need money t'spit in a man's eye!"

"Don't holler, or your admirer will hear you."

"Ah tell yuh ah won't make th' mistake Hines made."

"Good, because the mistake Hines made was that he wanted to get out of the proposition after he had got into the middle of it; that's why he died with his boots on. You never told nobody Hines had been a half-hearted bank robber. No! In fact, you lied for Hines, and said he'd died doing his duty as a sheriff should. Maybe if the kid out back or his old man, knew you once lied to protect the reputation of a crooked sheriff, they wouldn't like it." Nails went over to the desk drawer, retrieved his guns, sheathed them. "Maybe if Banker Apostoli knew that, he'd rip that star off your vest, and jerk his thumb toward the door?"

"Mebbe—but ahm wearin' th' star now."

"Listen, I'll guarantee you won't finish the way Hines did."

"Ah can guarantee mahself that. Now vamoos!"

"You're crazier than Hines was." Nails shifted his gunbelts with rest-

[*Turn To Page* 86]

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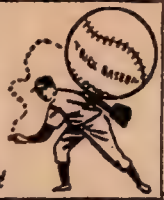

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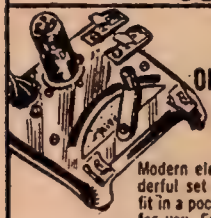

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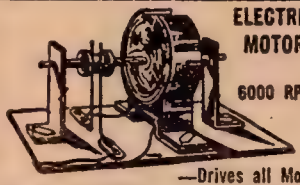

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less hands. "You're your own worst enemy, because you can't understand these times ain't your times. You're old and in the way—and getting older fast. What the hell you going to do to support yourself? People in any town, anywhere, won't give a damn about you—if you ain't no use to them. The kid out back? Hell, he's just a baby—and for the moment, you're a whim of his."

"Ah wouldn't say that," Bart said. "Youth is a wonderful thing, because youth says what it really feels."

Nails cocked his head as if listening to a tolling bell, but the church services were long since over and most of Hope Springs was observing its one day of rest in seven. The sun on the false-front of the bank across the street was casting long shadows now. The wooden buildings of the town were old and scattered like sun-blistered cow skulls isolated along a cattle trail in the middle of the desert. Bart's eyes roved in tempo with the nervous outlaw's, the uncertain future touching him like the dry, breathless air that seemed to be blindly searching for rain. Through the window beyond his desk, he could see, at the hitch-rail of the *Red Bucket,* the three dusty, very still horses that had entered town shortly after most of its citizens had gone to church.

"Well, age ain't a wonderful thing," Nails said.

"Ah wouldn't say that, neither," Bart said.

"You wouldn't." Nails' voice was as cold as his stare, now. "I would."

"Ah'll say this, though. Yuh pull anythin' in Hope Springs, ah'll shoot y'dead."

"You won't even pull that ancient hornbill of yours. Why? Because you'd be afraid of breaking the bubble of

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ORIENTAL
"SAMURAI WARRIOR"
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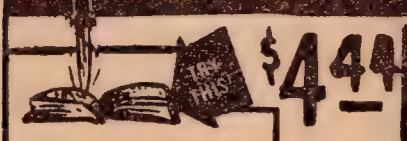

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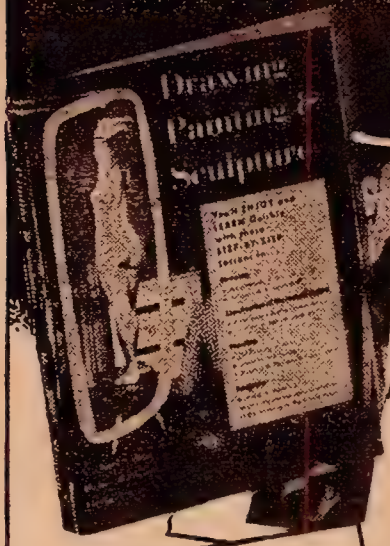

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Bobby's dream that pictures you as another Wyatt Earp. You wouldn't want the brat to remember for the rest of his life—that you ain't."

That's true, but ah can shoot straight."

"While holding your hornbill with two hands, like an old woman shooting at a barn hoor. Get outa m'way and lemme talk to that admirer of yours!"

BART DID not get out of the big man's way. For a second, Nails stood almost nose-to-nose, exhaling through his mouth, then he grinned, as though he were an ape confronting a banana tree. He said: "I can get along without you, you know."

"Especially since ah ain't had no experience at bank robbin', eh? But ah had lots of experience killin' bank robbers."

"You've reached the point where experience can't do you no good, Grandpa. When you going to realize that, if ever? This town don't want a sheriff with nothing but a reputation too old to remember. This town wants a sheriff that can keep the peace. I'd hate to see Bobby, Grandpa, when he sees his old man kick you out into the desert with the other pack-rats."

"Don't worry, Nails; if yuh rob our bank, yuh won't live long enough to see another sunrise."

"Look," Nails said, "for the sake of argument, just suppose you are a shooting sheriff still, a deadly gunfighter—me, Fingers and Bullwhip would outnumber you three to one. One of us would get you—and in the process, maybe some innocent bystanders."

"Y'worry about that," Bart said.

"I guess I'll have to," Nails said. "I understand the bank gets so full with cattle-sale cash, that its had to build a new underground vault. I never went at banking from the ground up, but there always has to be a first time.

[*Turn To Page* 90]

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4. Climate resistant—even at 25 below freezing.
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TRY ONE AT OUR RISK!

Over 2,000,000 of these new type storm windows were sold last winter alone. We invite you to try one, too, entirely at **OUR RISK**—no obligation whatsoever for you! When you've **TESTED** it—when you see how easily and quickly it goes on, you'll never again use the heavy, bulky, old fashioned kind! No more back-breaking installation! No more broken glass! It's a new, safe, sure way to winter comfort—for only pennies per window. **TRANS-KLEER** comes in kits 36 inches by 432 inches—**ENOUGH FOR 10 AVERAGE SIZE WINDOWS, AT ONLY $4.95—HARDLY 49½¢ EACH!** In all, you receive **108 SQUARE FEET!**

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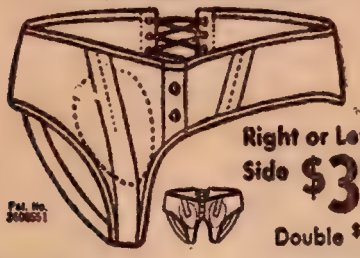

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Better than starting at the top and working down. Haw! Maybe you got a shovel, a hammer and a stone drill?"

"Th' only tool ah got is m'gun."

"An old workman shouldn't blame his tool. Haw!" Nails looked out the door at the swiftly falling sun, and then across the street where the bank and the *Red Bucket* saloon perched side-by-side. "You stay in here with the shades drawn until after dark, old man. Otherwise it might go bad for you—and that Apostoli kid."

Nails backed out the door onto the boardwalk, went across the dusty street like a slithering side-winder, mounted one of the horses before the saloon and led the other two cantering away, as though he were in a painting entitled "The American West" by William Robinson Leigh, Frederic Remington and/or Charles Russell. It being Sunday in a very religious community, Bart doubted that anyone knew the three outlaws were in town. Nobody would notice anything wrong until Monday morning when the bank was opened—and then they would notice that the sheriff's office was directly across the street. Moreover, Bobby would probably tell his Father that Nails Colin had been in the sheriff's office talking to Bart.

Bart stood listening to the muffled sounds of Bobby still rattling the cell door, as the shadows grew longer and narrower as if trying to stab him. With shaking hands he pulled down the window and door shades. He knew he had to do this. He was closing the door when Bobby appeared and said: "Gee, it's gloomy in here, Bart. Where's Nails?"

"Promised t'leave town," Bart lied, "if'n ah returned his guns."

"Gee," Bobby said, "ah thought yuh was goin' put 'im in jail! Ah got th' door unlocked, too."

BART WATCHED Bobby throw the key-ring on the desk, then he con-

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RACING CAR DRIVER FRANK KOHN SAYS: "THIS REVOLUTIONARY PRODUCT HAS INCREASED MY CAR SPEED & POWER UP TO 50%—STOPPED OIL BURNING"

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At the race in The Philadelphia Municipal Stadium I was driving car #79 with a sportsmen type Ford V8 engine. Right in the middle of the race I began to lose power and speed and was burning up all my lubricating oil and fouling my plugs. I pulled into the pit area during the second heat and in a couple of minutes took out my spark plugs and quickly injected a tube of piston-ring sealer to compete in the third heat. Back in the race my car quickly picked up speed and power, and I was able to go on again even faster than when the car started the race, finished second in the race, and won a Liberty Stock Car Racing Association trophy cup for the season.

The results lasted for over 5,000 grueling miles and when I pulled the engine down later I could still see the sealer.

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After one PEPGO RING SEAL treatment average cylinder compression now was raised over 40% from 76 to 107 lbs. Oil consumption was greatly reduced and gasoline mileage increased.

Compression Readings—1945 Dodge Truck

	Cylinder 1	Cylinder 2	Cylinder 3	Cylinder 4	Cylinder 5	Cylinder 6
Before	87 lbs.	75 lbs.	75 lbs.	60 lbs.	75 lbs.	85 lbs.
After	100 lbs.	110 lbs.	115 lbs.	95 lbs.	105 lbs.	118 lbs.

TEST #2

Engine Compression Completely Restored in 1948 Pontiac

A 1948 Pontiac "8" with 77,000 miles was using a quart of oil every 200 to 300 miles.

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Compression Readings — 1948 Pontiac

	Cylinder 1	Cylinder 2	Cylinder 3	Cylinder 4	Cylinder 5	Cylinder 6	Cylinder 7	Cylinder 8
Before	105 lbs.	95 lbs.	107 lbs.	120 lbs.	110 lbs.	115 lbs.	95 lbs.	123 lbs.
After	125 lbs.	120 lbs.	120 lbs.	125 lbs.	122 lbs.	120 lbs.	115 lbs.	116 lbs.

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sulted his pocket watch after using a key to wind it. It was past the suppertime when he usually ate at the Chinaman's, before retiring to his room upstairs. He looked at Bobby and wondered if he should have made a show of driving Colin and his henchmen out of town? But the one thing he feared was starting a shooting row that would get the local citizenry involved and possibly killed. Bobby had been born and raised here, as had his father who had every penny he owned invested in his little banking enterprise, a son and a father who had given an unwanted oldster his first full-time job in five years.

Bart reached forth a hand and patted Bobby's head awkwardly, knowing this could be the last time. He closed his eyes and did not try to speak, fearing the boy might detect in him all the humiliating shame Bart himself had detected in the dying voice of Old Man Hines. Finally, he opened his eyes and said, "You better go home, lad. It's gettin' late." And to make sure Bobby went, he opened the door and gave him a gentle push.

Bart stood in the doorway a little while, his stiff, swollen-knuckled hands braced against the jambs, his spine ramrod-straight, his frosty eyes following Bobby's reluctant retreat, his stubborn thoughts on Nails and the cunning but cowardly Fingers Slade, the bold, but slow-witted Bullwhip—all of whom loved to use violence when the odds were right. Bart knew they would expect him, if he appeared at all now, with gun drawn, back straight, alone—for that had always been the pattern of his life. But even though his past reputation made one doubt it, Bart knew when to use his head instead of his sixshooter.

He had to outwit, now, the odds he could not overpower with force any more. He knew, if he failed and they got away with robbery, it still would

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be better than getting townsmen needlessly killed. For a month now, he had been happy as Sheriff of Hope Springs, and with nothing much to do. But now there was something to do, that might cost him his job or his life, not to mention what little reputation he had left. He considered, briefly, the idea of just pulling up stakes, getting his mare and fading away to the trail of nowhere again. But that would be running away from something worse than old age—fear; he had never run away from anything before.

He stepped back, closed, locked the front door, as though he were backing away from the future into the past. He left the office via the rear door, locked it on the outside, and moved along the dusty ground under the shadows cast by the backs of the buildings on the east side of Main Street.

There wasn't anyone abroad, and here and there, lamps began to show through windows, as though trying to spotlight him in the dusk. But he refused to be spotlighted, remembering what Nails had said about a shovel, a hammer, a drill, and the underground bank vault. He remembered too, that Fingers Slade and Bullwhip had disappeared into the *Red Bucket* hours ago and hadn't come out—which could mean they had slipped out the back way, unnoticed by the unobservant saloon-keeper, who, observing the Sunday Blue Law, had locked up and gone home at sundown. Bart had observed these things from his office, while Nails, boots covered with powdery white dust, kept talking about the wonders of sheriff-outlaw cooperation.

HE WALKED to the end of Main Street and crossed to the west side where there was nothing but desert and sparse desert growth, then faced town again and hurried once more behind buildings, following hoofprints until he came to the rear of the bank. He made no effort to conceal his

coming. That was why the bandit trio was waiting.

"Howdy," Fingers said.

"So you decided to join us, huh?" said Bullwhip.

The trio was splashed with white rock-dust—particularly Bullwhip, who, with a rock-drill in his left fist and a stone-hammer in his right, was standing in a trench that sank to the new underground bank vault. There a roughly-drilled hole showed in the lime-mortar wall. Apparently the hole was not yet quite large enough to admit either of the robbers.

Nails, without speaking, flipped a gun into one hand and motioned to Slade, who was holding a flour bag. The bag hit Bart in the face and when it dropped into Bart's hands, Fingers was holding Bart's sixshooter.

"There's $70,000 inside th' vault," Bart heard himself say.

"And you're skinny enough to squeeze through yonder hole and get it," Nails said.

The others said nothing, but Bullwhip reached up and hauled Bart into the trench, then lifting him like a post, tried to shove him through the hole-in-the-wall. Bart landed inside the vault all tangled up in the flour bag again.

He untangled himself and stood half-erect on weak knees as the perspiration streamed into his eyes. He mopped his face with the flour bag and saw Bullwhip's expressionless eyes sighting along a gun-barrel that rested in the hole of the wall.

Bart started easing himself around the gloomy, tiny, low-ceilinged vault, worrying about Bobby, hoping the romantic boy had really gone home—and once there had not told his father about Nails.

Bart found the money laid out neatly on the hard floor, the greenbacks packaged, the silver cartwheels held in canvas sacks. He peered over a

[*Turn Page*]

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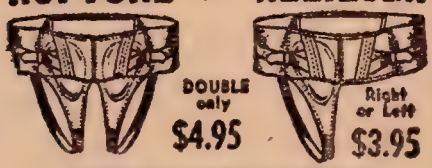

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shoulder at Bullwhip's revolver, then slowly began stuffing bills into the flour bag.

"Hurry it up!" Impatiently, Bullwhip stuck his head farther into the hole.

Bart started putting the heavy canvas money-bags in atop of the greenbacks, his brain working, his spirits high.

"Nails says to tell you," Bullwhip said, "that you'll ride outa town with him on his horse. Nails says he promised to give you a little stake so you can skip across the border and live like a king in exile. Nails keeps his word."

"Just like me," Bart said.

"Yeh," Bullwhip said, "except you told him you wouldn't permit this bank robbery."

Bart, listening to Bullwhip's snicker, and feeling the rheumatic pain tighten the stringy muscles of his shoulders and upper back, hoped Bobby had not followed him here. He did not have to pretend the silver bags were heavy as he put them into the flour sack. When the flour bag was full he dragged it to the hole and tried to lift it up. When he failed, Bullwhip managed, somehow, to shove his head and shoulders through the opening, arms outstretched to lend an eager hand. That was when Bart grabbed another coin bag from the floor and brought it down with a dull, sickening thud upon Bullwhip's skull. Bullwhip went limp, the sixshooter dropping from his grasp.

Bart threw himself down, clawing for the revolver. When he got it, Bullwhip still hadn't moved. Outside, Fingers Slade suddenly said: "Bullwhip, back outa there, you cussed, dimwitted jackass!"

[*Turn To Page 98*]

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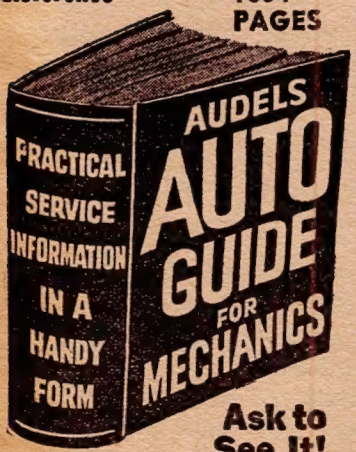

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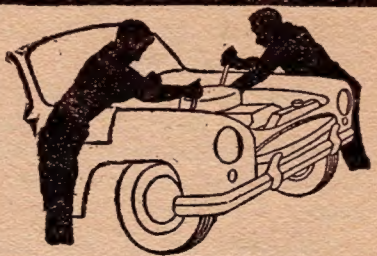

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"Yuh'll have t'pull 'im out," Bart called; "he's fainted, or somethin'."

As Fingers complied, Bart was thankful he had slugged Bullwhip near the nape of the neck where a lump wouldn't easily rise.

There was the sound of a face being slapped hard and repeatedly, followed by vivid cursing, after which Fingers commanded: "Pass out the money, Coolidge!"

"Ah can't lift th' flour bag." Bart prayed silently, holding Bullwhip's revolver clubbed as he did so. "Bullwhip was helpin' me when he passed out."

"Well, I won't pass out," Fingers said.

WHEN SLADE worked his torso through the holed wall, Bart brought the revolver crashing down on the man's cranium, thinking with the action, of Nails waiting outside with a gun in his nervous hand—and maybe Bobby Apostoli snooping around! With the strength of desperation, Bart, sheathing the revolver, braced his feet against the wall, grabbed the unconscious bandit by the armpits and slowly dragged him into the vault.

When Bart crawled outside, he drew his sixshooter and started climbing from the trench, as another sixshooter near at hand, exploded like a thunderclap! When Bart exited from the trench and stood erect with Bullwhip's revolver held in both hands, he could see Bobby flattened prone between the long roots of a cottonwood tree—and Nails striding toward him with a smoking .45!

"Nails," Bart said, "don't move another forward step."

In the flashing instant of Nails' turning and shooting, Bart could see the cruel cat-like grin on the man's face. As Bart carefully and deliberately aimed his sixshooter with both hands, he saw the flame of Nails' gun without hearing anything except the report of his own steady-held weapon. He felt the firearm buck against his palms just before he was knocked down and out....

WHEN HE came to, the sky was full of stars, the premises were full of Hope Springs menfolk, and Bobby Apostoli was crying excitedly, over and over again: "Bart outfoxed and outfought the three of them! Ah saw it all with mah own eyes! Gee!"

There was a heavy, dreadful sickness in Bart's stomach, and for the first time he made out Bobby's father, bending close, and whispering: "Doc, you think the old boy is going to be all right? "You think you can help our sheriff pull through, Doc?"

"I reckon so," a gruff voice said. "You have to be tough to just live as long as Coolidge has lived."

Nails Colin was dead, shot squarely between the eyes, so only Fingers Slade and Bullwhip could be taken to the jail and locked up. But they took Bart to the *Red Bucket* where they laid him out on the bar and the doctor removed the .45 slug from his shoulder right there, while Banker Apostoli, a teetotaler from way back, kept feeding Bart whiskey.

It was dawn before Bart was really back in the world again—and he saw that John P. Apostoli was still with him—sipping whiskey himself, now! He tested his voice. He told Apostoli: "Yuh can be proud of Bobby."

"That's exactly what Bobby told me about you." The banker put down his glass and put a hand on Bart's good shoulder. "My son's here, just dying to talk to you."

The banker moved away, and Bobby came running! Bobby looked worried, but his voice was strong, as it said: "Howdy, Sheriff."

"Howdy, Deputy," Bart said from way down deep. "Yuh watch th' office for us, until ah get back."

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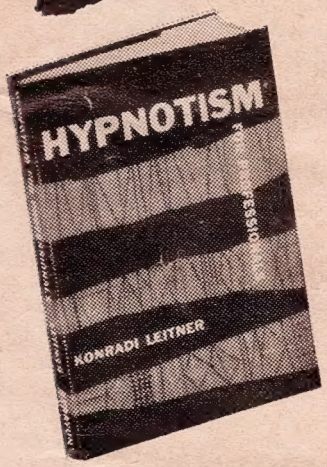

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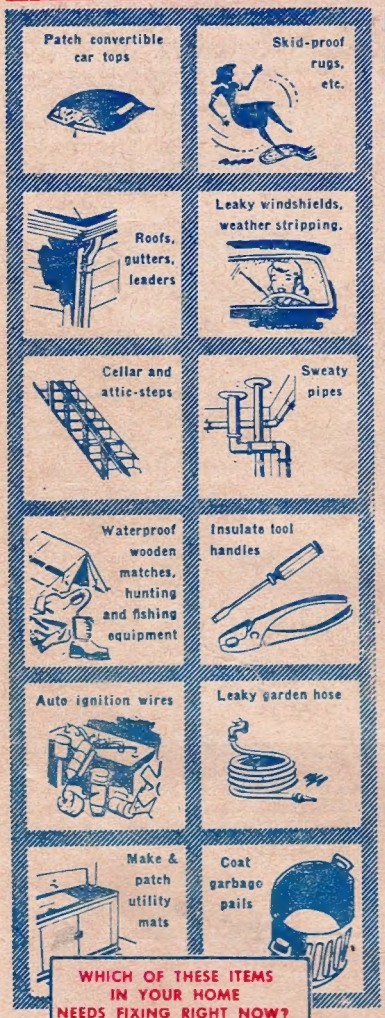

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